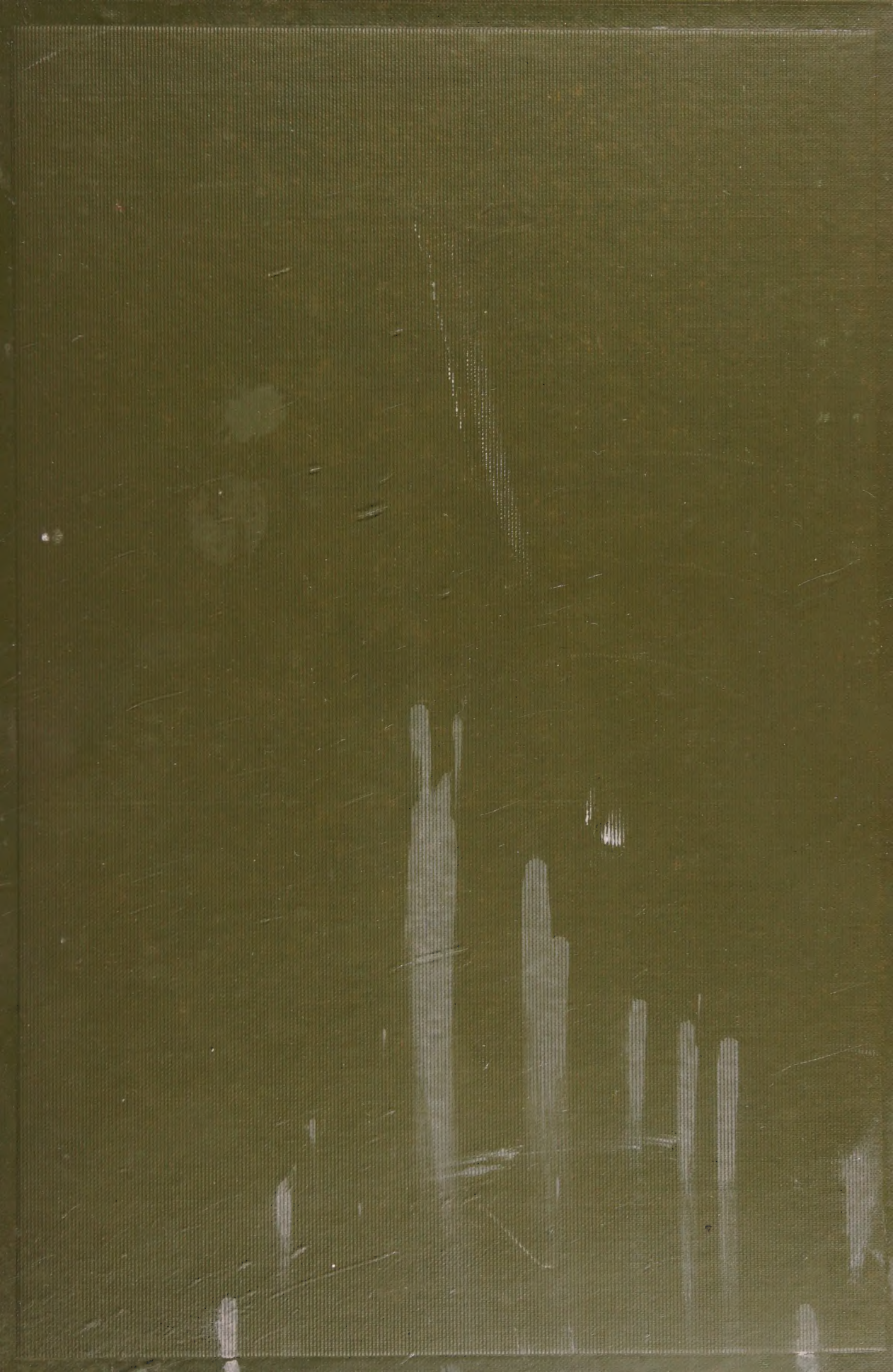

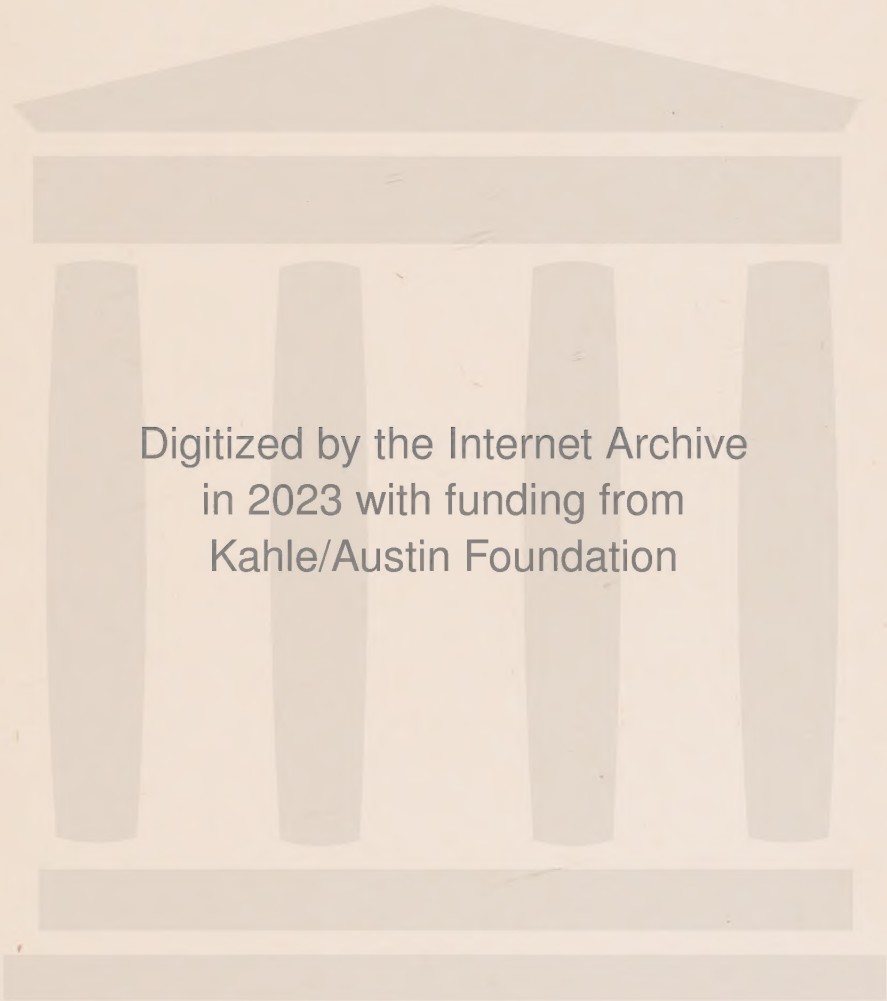
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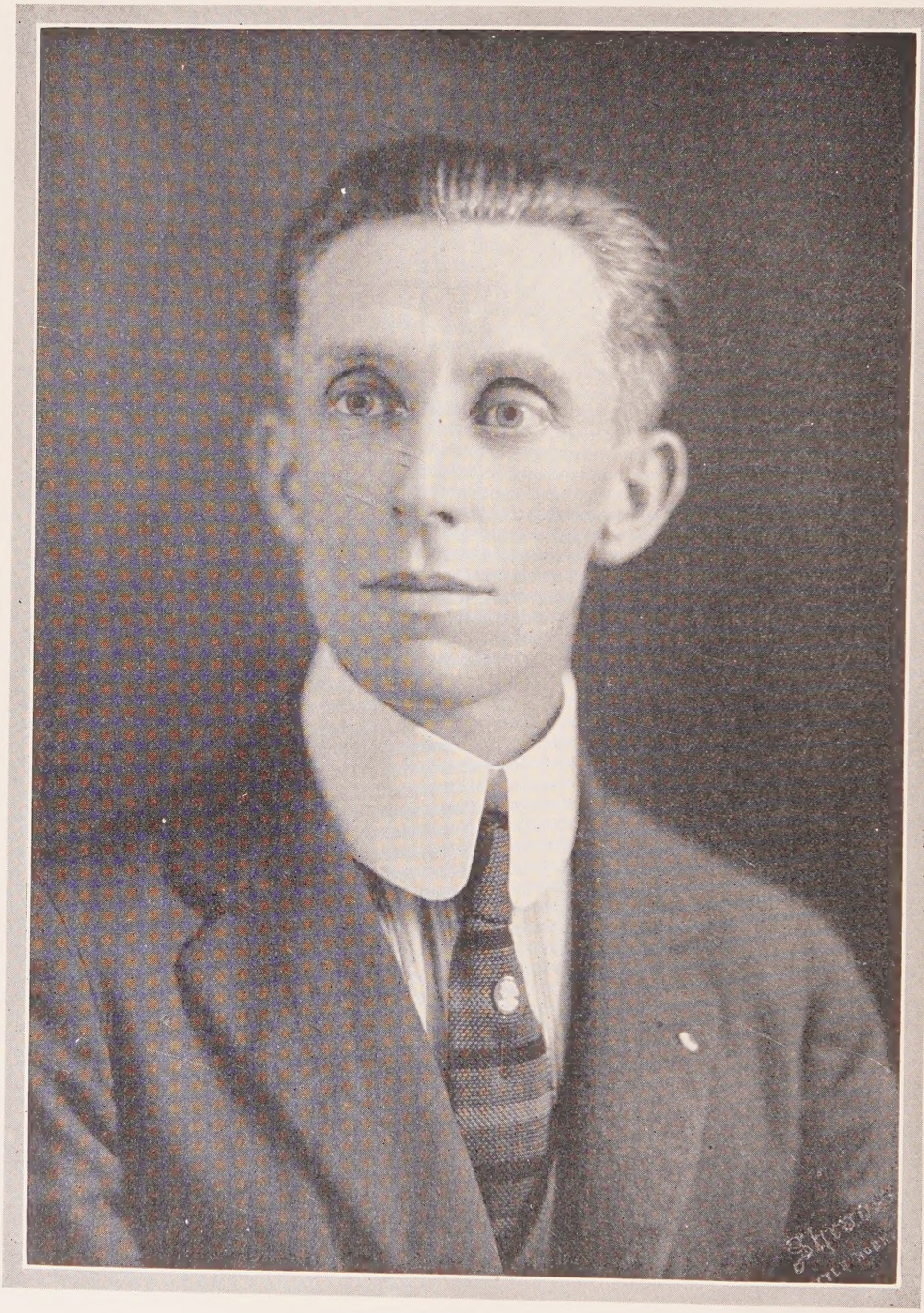

DALLAS T. HERNDON

CENTENNIAL HISTORY

OF

ARKANSAS

DALLAS T. HERNDON
Director Department of Archives and History
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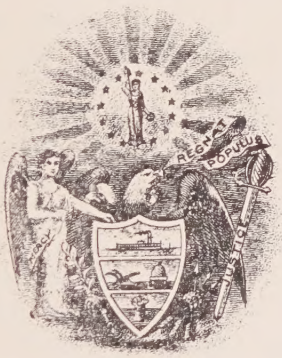

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FOREWORD

Shortly after I became the secretary of the Arkansas History Commission in 1911, I began to realize that the state had no history that could be relied upon as authentic. Several state histories had been published—written by conscientious men who were inspired by a love for their state, but who, unfortunately, did not have access to reliable sources of information.

As the years went by, people came to the commission asking for information which often required hours, and even days, of research to ascertain. The need of a comprehensive state history grew more and more apparent, and I began seriously to contemplate the preparation of a work which would meet all reasonable requirements. In the fall of 1920 satisfactory arrangements were concluded with the S. J. Clarke Publishing Company, of Chicago, to publish this "Centennial History of Arkansas."

My time being occupied with my work as secretary of the commission, the Clarke Company sent Maj. Thomas J. Hudson, of their editorial department, an experienced writer and a man thoroughly trained in research work, to assist in the compilation of the history. The work has been one involving great care and labor, but no effort has been spared to make this "Centennial History of Arkansas" both authentic and comprehensive. Authentic, because great pains have been taken to verify every statement about which there was any doubt or obscurity; and comprehensive, because it is believed that no important event in the history of the state has been overlooked or neglected.

Samuel Johnson, in his "Story of Rasselas," says: "He who has much to do will do something wrong; and if it were possible that he should always act rightly, yet when such numbers are to judge of his conduct, the bad will censure and obstruct him by malevolence, and the good sometimes by mistake."

In presenting this "Centennial History of Arkansas" to the people of the state, both editor and publishers are hopeful that the "malevolent" will find but little to criticize, and that the "good" will point out its shortcomings in a kindly spirit.

DALLAS T. HERNDON,
Editor.

BIBLIOGRAPHY

In the preparation of this "Centennial History of Arkansas," information has been gleaned, as far as possible, from official and original sources. Following is a list of the principal works consulted:

Alvord's Mississippi Valley in British Politics.
American Railway Manual.
American State Papers.
Arkansas Historical Association Publications.
Arkansas Newspaper Files.
Arkansas Public Documents.
a—Adjutant General's Reports.
b—Auditor's Reports.
c—Bank Commissioner's Reports.
d—Bureau of Immigration Reports.
e—Branner's Geological Reports.
f—Commissioner of Agriculture's Reports.
g—Comptroller's Reports.
h—Governors' Messages.
i—House and Senate Journals.
j—Journals of the Constitutional Conventions.
k—Owen's Geological Reports.
l—Reports of Public Institutions.
m—Secretary of State's Reports.
n—Superintendent of Public Instruction's Reports.
o—Supreme Court Reports.
Baas' History of Medicine.
Blocher's History of Arkansas Finance.
Bolton's Spain in the West.
Buck's Cleburne and His Command.
Bulletins of the Arkansas History Commission.
Clayton's Aftermath of the Civil War in Arkansas.
Confederate Military History.
Congressional (House and Senate) Documents.
Cutler's Guide to Hot Springs.
Dunning's Reconstruction, Political and Economic.
Encyclopedia of the New West.
Featherstonhaugh's Travels in America.
Fleming's Documentary History of Reconstruction.
Fletcher's Catholic Church in Arkansas (Mss.).
French's Historical Collections of Louisiana.
Goodspeed's Central Arkansas.

Goodspeed's Northwest Arkansas.
Goodspeed's Southern Arkansas.
Gregg's Founding of a Nation.
Halliburton's History of Arkansas County.
Hallum's History of Arkansas.
Hallum's Reminiscences of the Civil War.
Harrell's History of the Brooks-Baxter War.
Hempstead's History of Arkansas.
Houck's History of Missouri.
Hulbert's Historic Highways.
Jackman's American Nation.
Jesuit Relations.
Jewell's History of Methodism in Arkansas.
Lossing's History of the United States.
Maps of Arkansas—Ancient and Modern.
Miscellaneous Works by Arkansas Authors.
Moore's History of Presbyterianism in Arkansas.
Nash's Biographical Sketches of Generals Cleburne and Hindman.
Newberry's Life of A. H. Garland.
Newberry's Life of James K. Jones.
Polk's Arkansas Gazetteer.
Pope's Early Days in Arkansas.
Proceedings of the Arkansas Bar Association.
Proceedings of the Arkansas State Medical Society.
Province and the States, The.
Reynolds' Makers of Arkansas History.
Reynolds & Thomas' History of the University of Arkansas.
Robertson's Louisiana Under France, Spain and the United States.
Session Laws of Arkansas.
Shea's History of Catholic Missions in America.
Shinn's History of Arkansas.
Shinn's Pioneers and Makers of Arkansas History.
Simonds' History of the World War.
Smithsonian Institution Publications.
Stanwood's History of the Presidency.
Stoddard's Sketches of Louisiana.
Thwaites' Early Western Travels.
United States Bureau of Ethnology Reports.
United States Census Reports.
Weeks' History of Education in Arkansas.
Wilmer's Life, Travels and Adventures of Hernando de Soto.

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CHAPTER I

ARKANSAS—A GENERAL VIEW

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The State of Arkansas is situated in the lower Mississippi Valley and is bounded as follows: On the north by the State of Missouri; on the east by the Mississippi River, which separates it from the states of Tennessee and Mississippi; on the south by Louisiana and Texas; and on the west by Texas and Oklahoma. The southern boundary is formed by the parallel of 33° north latitude, and the northern, except for what is called "the jog" at the northeast corner, by the line of 36° 30′ north latitude.

According to United States surveys, the area of the state is 53,335 square miles. It is more than four-fifths as large as all New England, is almost as large as the combined states of New Jersey and Pennsylvania, and would make forty-two states the size of Rhode Island, with enough territory left for a good-sized county.

TOPOGRAPHY

All that portion of the state lying southeast of a line drawn from the northeast corner of Clay County to the western boundary of Miller County, a little south of Texarkana, is of alluvial formation. This region was once a part of the Gulf of Mexico, which then washed the foothills of the Ozark Mountains. The Iron Mountain (now the Missouri Pacific) Railroad follows closely the line separating the alluvial lands from the more elevated sections in the western part of the state. The highlands in the alluvial formation, the most notable of which are Crowley's Ridge, Dogwood Ridge and Big Lake Highlands, are no doubt the summits of islands that appeared in the gulf far back in the geologic past.

An accurate knowledge of the topography of a country is necessary to the geologist to enable him intelligently to comprehend the general features of geologic structure; to the mineralogist in furnishing a basis for mining operations; and to the engineer in railway construction, in the draining and reclamation of swamp lands, and in providing water supplies for cities. The importance of this knowledge was recognized by the Arkansas Legislature of 1887. In

Section 2 of the act providing for a geological survey of Arkansas, approved on March 5, 1887, it was made part of the duty of the state geologist "to determine by strict barometrical observations the relative elevation and depression of the different parts of the state."

To carry out this provision of the act, Governor Hughes, in July, 1887, asked the assistance of the United States Coast and Geodetic Survey in determining the elevation of certain points in Arkansas above the mean tide level of the Gulf of Mexico. The first "bench-mark" was established at Little Rock, at the east facade of the post office building, in February, 1888. That point was found to be 297.85 feet above the mean tide level. In August, 1888, the altitude of Fort Smith was ascertained. There the bench-mark was made by fastening a copper bolt in the west wall of the United States jail 446.26 feet above tide water. With these two points as a basis for further observations, bench-marks were established at more than fifty places in the state during the next three years.

Added to the bench-marks thus officially established, the elevation of many places was ascertained by railway engineers. From the levels thus determined it is shown that the elevation of Arkansas varies from about one hundred feet in the southeastern portion to nearly three thousand feet on the summit of Magazine Mountain in Logan County. In the following table is given the altitude of each county seat, except in a few instances where accurate figures could not be obtained. A little study of this table, in connection with a map of Arkansas, will give the reader a fair knowledge of the topography of the state.

County and County Seat	Altitude
Arkansas—De Witt	288.00
Ashley—Hamburg	128.40
Baxter—Mountain Home	799.00
Benton—Bentonville	1,302.40
Boone—Harrison	1,100.00
Bradley—Warren	204.75
Calhoun—Hampton	223.00
Carroll—Eureka Springs	1,463.00
Chicot—Lake Village	122.00
Clark—Arkadelphia	186.10
Clay—Corning	289.10
Cleburne—Heber Springs	485.00
Cleveland—Rison	225.00
Columbia—Magnolia	315.00
Conway—Morrillton	386.03
Craighead—Jonesboro	311.10
Crawford—Van Buren	412.80
Crittenden—Marion	225.10
Cross—Wynne	249.90
Dallas—Fordyce	259.46
Desha—Arkansas City	137.73
Drew—Monticello	271.40
Faulkner—Conway	319.29
Franklin—Ozark	398.36
Fulton—Salem	425.00

County and County Seat	Altitude
Garland—Hot Springs	604.00
Grant—Sheridan	300.00
Greene—Paragould	282.20
Hempstead—Washington	354.10
Hot Spring—Malvern	278.10
Howard—Nashville	350.00
Independence—Batesville	268.10
Izard—Melbourne	325.00
Jackson—Newport	233.07
Jefferson—Pine Bluff	223.24
Johnson—Clarksville	366.52
Lafayette—Lewisville	283.00
Lawrence—Walnut Ridge	270.10
Lee—Marianna	235.70
Lincoln—Star City	178.17
Little River—Ashdown	300.00
Logan—Booneville	465.00
Lonoke—Lonoke	241.00
Madison—Huntsville	1,525.00
Marion—Yellville	600.00
Miller—Texarkana	298.10
Mississippi—Osceola	250.00
Monroe—Clarendon	125.00
Montgomery—Mount Ida	700.00
Nevada—Prescott	323.10
Newton—Jasper	
Ouachita—Camden	143.10
Perry—Perryville	325.00
Phillips—Helena	193.40
Pike—Murfreesboro	354.00
Poinsett—Harrisburg	284.10
Polk—Mena	542.25
Pope—Russellville	348.56
Prairie—De Valls Bluff	193.58
Pulaski—Little Rock	297.85
Randolph—Pocahontas	286.00
St. Francis—Forrest City	278.16
Saline—Benton	297.10
Scott—Waldron	660.00
Searcy—Marshall	1,036.00
Sebastian—Fort Smith	446.26
Sevier——De Queen	420.00
Sharp—Hardy	343.10
Stone—Mountain View	730.00
Union—El Dorado	204.00
Van Buren—Clinton	516.00
Washington—Fayetteville	1,340.40
White—Searcy	260.00

County and County Seat	Altitude
Woodruff—Augusta	211.15
Yell—Dardanelle	330.00

DRAINAGE

Another method of ascertaining the variations of the general topographical features is to study the courses of the various creeks and rivers which form the state's drainage system. The Arkansas River, the largest in the state, crosses the western boundary near Fort Smith and follows an easterly course for a distance of about sixty miles. Near the Village of Spadra, Johnson County, it turns toward the southeast and continues in that direction until it empties into the Mississippi in Desha County. The distance by the course of the river from Fort Smith to the mouth of the Arkansas is approximately three hundred miles, and in its meanderings through the state it touches eighteen of the seventy-five counties.

Most of the northern tributaries of the Arkansas flow southward, while a majority of those entering the river on the southern side follow an easterly course. The river derives its name from the Arkansas Indians. Regarding the name, Nuttall's Journal for February 3, 1819, says: "The name Akansa or Arkansa, if ever generally used by the natives of this territory, is now, I am persuaded, scarcely ever employed; they call themselves O-guah-pa, or Ozark, from which last epithet in all probability has been derived the name of the river and its people; indeed, I have heard old French residents in this country term it Riviere des Arks, or d'Ozark."

Maj. Stephen H. Long, who led an exploring expedition into the western country in 1819-20, also refers to the name of the river, in his report to the secretary of war, as follows: "Within the valley or region drained by the Mississippi are situated no less than three distinct ranges of mountainous country, the localities of which we will attempt to point out. The first and most considerable is a range of mountains commencing within the Spanish Province of Texas and stretching in a northeastward direction till it is terminated by the highlands on the lower part of the Missouri River. To this range we have given the name of the Ozark Mountains, an appellation by which the Arkansa River was formerly distinguished, as also the tribe of Indians, since denominated the Quawpaws, inhabiting near that river."

The White River is formed in the northwestern part of the state by the union of several small streams. At first it follows a northerly course, crossing the northern boundary near the northwest corner of Carroll County and flowing for some distance through the State of Missouri. It re-enters Arkansas in Boone County and flows in a southeasterly direction to Newport, where it turns southward and finally empties into the Mississippi at the southern end of Phillips County.

The Black River enters the state from Missouri about five miles east of the Town of Moark. It follows a general southerly direction through the counties of Clay, Randolph, Lawrence and Jackson until it unites its waters with those of the White River a short distance above Newport.

South of the Arkansas River the largest stream is the Red River, which forms about twenty-five miles of the boundary line between Little River County

and the State of Texas. Near the Town of Fulton it turns southward and forms the dividing line between Lafayette and Miller counties until it enters Louisiana.

The largest Arkansas tributary of the Red River is the Little River, which has its source in the northwestern part of Polk County. After flowing for some distance through Oklahoma, it re-enters Arkansas at the southwest corner of Sevier County, separates Little River County from the counties of Sevier and Hempstead, and empties into the Red River a little west of the Town of Fulton.

The Ouachita (sometimes written Washita) River rises in the northwestern part of Polk County. It flows eastwardly, by a sinuous course, to the central part of Garland County, where it turns toward the southeast. Near Malvern it is deflected to the southwest and continues in that direction to a point on the line between Hot Spring and Clark counties about six or seven miles north of Arkadelphia. From that point it follows a southeasterly course until it enters Louisiana as the boundary line between Ashley and Union counties.

The Ouachita's largest tributary from the west is the Little Missouri River, which rises near the line between Polk and Montgomery counties. Its general course is eastwardly, uniting with the Ouachita at the southeast corner of Clark County.

On the opposite side the principal affluents are the Moro Creek and the Saline River. The former rises in the northern part of Dallas County and flows southward. It forms the boundary between Calhoun and Bradley counties. The lower part is sometimes called Bayou Moro. The Saline River has its source in the county of that name, flows in a southeasterly direction to a point near the southeast corner of Cleveland County, thence southwardly for about twenty-five miles, when it turns to the southwest and enters the Ouachita at the southern end of Bradley County.

The streams in the alluvial lands near the Mississippi River, such as the St. Francis, Cache, L'Anguille and La Grue rivers north of the Arkansas, Bartholomew and Red Fork bayous and Chimanahaw Creek south of the Arkansas, all flow in a southerly direction. Other creeks and rivers will be described in the chapters on County History.

GEOLOGY

Had a map of North America been made about the middle of the Paleozoic era, the continent would have presented quite a different appearance from that shown on the maps of the present day. Geologists tell us that then an arm of the Gulf of Mexico extended northward, covering almost the eastern third of Arkansas, as well as portions of Missouri, Tennessee, Mississippi, Louisiana and Texas, and sections of Illinois and Kentucky contiguous to the Ohio River. The old gulf coast line is defined by the exposures of limestone at the streams, particularly the outcroppings on the Red River near Texarkana and the Arkansas River near Little Rock.

On the western coast, the Pacific Ocean then extended eastward as far as the Rocky Mountains. Throughout the latter part of the Paleozoic and the greater part of the Mesozoic eras, numerous streams carried debris from the land and deposited it in considerable quantities at their mouths. There it was caught up by the tides and borne farther out to sea. After this process had gone

forward for ages, the bottom of this primeval ocean was lifted up by volcanic action, the western mountain ranges appearing above the surface of the waters. This left a great inland sea, the waters of which were finally carried off by streams that cut their way from the interior to the ocean. A remnant of this inland sea is seen in the Great Salt Lake in Utah.

Subsequent eruptions lifted the summits of the Coast and Cascade ranges still higher above the level of the Pacific and formed the mountain chains farther inland, of which the Ozark Mountains mark the eastern limit. It is believed that this volcanic action continued far into the Cenozoic era, probably to about the middle of the Tertiary period.

THE GLACIAL EPOCH

After this long period of volcanic disturbance—how long after can only be conjectured—another great geologic change came to the region now comprising the State of Arkansas. During the latter part of the Tertiary period there was a general lowering of the temperature in the north temperate zone, until the climate was about the same as that now at the Arctic Circle. This condition was caused by heavy snowfalls, following each other in rapid succession. The weight of each snowfall, added to that already upon the earth's surface, packed the mass into solid ice, thus forming a glacier in each of the great valleys of Central North America. Then followed the Pleistocene, or "Ice Age," which extended far into the Quaternary period.

As the temperature rose the ice began to melt and the glaciers moved slowly toward a lower altitude. In their progress they carried soils, bowlders, etc., and deposited all this debris as glacial drift far from the place where such materials had originally been placed by the hand of Nature. At the edge of the glacier the drift was left in a ridge called a "lateral moraine." The ridge where two glaciers came together is called a "medial moraine," and that where the last of the ice was dissolved is known as a "terminal moraine." By studying the moraines, geologists can easily determine to which class each belongs, and also determine the area covered by the glacier. The terminal moraine of the great central glacier is not far from the present City of St. Louis, Missouri.

Some geologists think the glacial invasion of Central North America lasted for probably half a million years, and that the last of the glacial ice disappeared at least twenty-five thousand years ago. At the close of the Ice Age, the glacial area was barren of both animal and vegetable life. Gradually the action of the rain and winds leveled the surface, the heat of the sun warmed the earth and life in primitive forms made its appearance. During this period the old arm of the gulf was filled in by erosion from the north. In more recent times the rivers that flow into the gulf have continued the action of erosion and in this way the alluvial lands of Arkansas came into existence.

GEOLOGICAL SURVEYS

The first geological survey of Arkansas was made by Dr. David Dale Owen in 1857-58. A report of this survey—or rather reconnaissance—was published at Little Rock in 1858. In February, 1859, the Legislature made an appropria-

tion to continue the work. Doctor Owen was reappointed, but died on November 3, 1860. His second report, edited by his brother, Richard Owen, and his assistant, Edward T. Cox, was published at Philadelphia about a year after his death.

During the next decade the Civil war and the unsettled conditions of the reconstruction period caused a suspension in the South of all such work as geological surveys. The Legislature of 1871 passed a bill providing for a geological survey. Governor Hadley appointed W. F. Roberts, Sr., of Pennsylvania, state geologist, and Dr. George Haddock, of Arkadelphia, assistant. These two men made a reconnaissance of the western part of the state, but no official report of their work was published. Under the Act of 1873, Dr. George Haddock, William C. Hazeldine and Arnold Syberg successively held the office of state geologist, but no reports of their labors were published.

On March 5, 1887, Gov. Simon P. Hughes approved an act authorizing the appointment of a state geologist. Dr. John C. Branner was appointed and continued in the position until 1893. His work was more in the nature of a detailed survey than that of any of his predecessors. Seventeen volumes of his reports have been published and in 1920 two volumes remained unpublished for lack of appropriations.

In 1907 the Legislature passed an act creating the Geological Survey of Arkansas, to be conducted under the direction of a commission composed of the governor, the president of the University of Arkansas and the commissioner of mines, manufactures and agriculture. The professor of geology in the University of Arkansas was designated as the ex-officio state geologist and required to give a certain portion of his time to survey work. Under the provisions of this act considerable geological work was done in the state by Prof. A. H. Purdue, Prof. A. A. Steel and Dr. N. F. Drake.

GEOLOGIC PERIODS

From the reports of the various above mentioned surveys, it is learned that the rocks and geological formations of Arkansas range in age from the Cambrian to the Quaternary periods. The best examples of the Cambrian group in the United States are seen in the marbles of Vermont and New York, and the dolomitic limestones of Minnesota and Wisconsin. In Arkansas the only recognized Cambrian exposure occurs in Montgomery County, in a valley between the headwaters of the Ouachita and Little Missouri rivers. This valley is from one to three miles wide and about fifteen miles long. The formation (known as Collier shale) is composed chiefly of a dark shale and a bluish-gray or dark limestone, interspersed with layers of chert. None of the limestone is adapted for building purposes, and very little of it is suitable for the manufacture of lime, on account of the impurities it contains. The shale beds are believed to be five hundred feet or more in thickness.

Next in geologic age is the Lower Silurian, or Ordovician—the oldest certainly recognized sedimentary rocks in Arkansas. They consist of magnesian and siliceous limestones, sandstones and cherts. A geological map of Arkansas published by the United States Geological Survey in 1907, shows two well defined Lower Silurian areas. The first, in the northern part of the state,

covers the counties of Baxter, Fulton, Izard, Randolph and Sharp, the northern part of Boone, Carroll, Independence and Newton, the western half of Lawrence, the greater part of Marion, and small portions of Benton, Searcy and Washington. The second area, south of the Arkansas River, includes the larger part of Garland, Saline and Montgomery counties, the southwestern part of Pulaski, a triangle in the eastern part of Polk, a small section of the northern part of Pike, and a belt across the northern part of Hot Spring County.

The best known series of the Lower Silurian are the Trenton rocks, which are more widely distributed and contain limestones of greater economic value than any other subdivision. In Arkansas this series is characterized by the St. Clair marble of Independence, Izard, Stone and Searcy counties, and probably the heavy bed of blue limestone underlying it.

Sandstone, classified as belonging to the Upper Silurian formation, is found near Bog Springs, in Polk County, and at various places in the northern part of Hot Spring County, as far east as the vicinity of Malvern. The Missouri Mountain slate also belongs to the Upper Silurian. It is exposed in most of the high ridges from Pulaski County westward to Polk County. In some places the beds are three hundred feet or more in thickness. These deposits have been prospected at several points for slate of commercial value, and have been quarried in the western part of Montgomery County for electric switchboards.

Geologists differ in their opinion as to the Devonian formation in Arkansas. A bulletin (No. 351) issued by the United States Geological Survey in 1908 says: "The Devonian period is represented by beds of variable character—in some places a black shale, in others a sandstone containing phosphate nodules. The thickness of the shale ranges from a few inches to seventy feet; that of the sandstone from five to seventy-five feet. These rocks are known only in Northern Arkansas, where they follow the contact between the Silurian and Carboniferous rocks from near Batesville westward to the vicinity of St. Joe, in Searcy County. They have been recognized also along the White River northeast of Fayetteville, and in the northwest corner of the state, at Sulphur Springs, where both shale and sandstone are well developed."

Other geologists assert that the lower part of the novaculite formation belongs to the Devonian period. The novaculite (whetstone) area occurs in the hilly regions south of the Arkansas River, especially in the Zigzag Mountains about Hot Springs, in the Ouachita Mountain system south of the Ouachita River, and extends from the eastern part of Hot Spring County almost to the Oklahoma line. Concerning the finest quality of this novaculite, commercially known as Ouachita oilstone, Owen says:

"It is equal in whiteness, closeness of texture and subdued waxy lustre to the most compact forms and white varieties of Carrara marble. * * * Indeed, the finest quality of the razor honestone variety of this formation is even superior in purity of whiteness to the celebrated Carrara marble. It is, in fact, the most beautiful variety of novaculite that can be imagined, when taken dry and fresh out of the quarries, about the middle of the east slope of the Hot Spring Ridge. Yet this snowy white chalcedonic novaculite belongs, undoubtedly, to the age of the millstone grit, and was once a simple ordinary sandstone."

Following the Devonian period comes the Carboniferous, so named because

in this formation is found the world's greatest coal measures, except in Pennsylvania, where the coal measures belong to the Permian period. The Lower Carboniferous (sometimes called the subcarboniferous) consists of the Mississippian, St. Louis and Kaskaskian limestones and the Kinderhook shales. Several divisions of the Mississippian rocks have been recognized in Arkansas, to wit:

1. The St. Joe limestone, which forms the base of the Carboniferous beds in the northwestern part of the state. It is seen in an almost unbroken outcrop from the central part of Stone County to the state line near the northeastern corner of Benton County. The stone is a gray or pink crystalline limestone, ranging in thickness from a few inches to more than one hundred feet.

2. The Boone formation, which takes its name from Boone County, consists of a fossiliferous limestone, associated in places with a series of cherts. This formation outcrops at numerous places in Benton, Boone, Carroll, Independence, Madison, Marion, Searcy, Stone, and some of the adjoining counties. The limestone is used both for making lime and for building purposes. Near Pfeiffer, Independence County, is a quarry which produces a high grade of ornamental limestone.

Where the cherts and limestones are interbedded they form, on disintegration, a fertile soil, such as is found in various sections of Benton, Boone, Madison and Washington counties. Where the limestone is absent the soil is usually too poor for agriculture. This condition is seen in the "flint hills" in several of the counties north of the Arkansas River.

3. Overlying the Boone formation in the vicinity of Batesville is a bed of shale belonging to the Mississippian series. It varies in thickness from seventy-five to more than two hundred and fifty feet. The best exposure of this shale is near Moorefield, which has led to its being designated as the "Moorefield shale." At Marshall, Searcy County, the same shale appears in a bed about thirty-five feet thick. At the base of this shale is a fossiliferous stone that has been given the name of "Spring Creek limestone."

4. The Batesville sandstone varies in thickness from a thin ledge to two hundred feet. It is so named because the City of Batesville is built on the formation. It is present along the base of the hills in Benton, Boone, Carroll, Independence, Madison, Newton, Searcy, Stone and Washington counties. The stone is generally light-colored, coarse grained and unfit for building purposes. Underlying the Batesville sandstone in the northwestern part of the state is the Hindsville limestone, which takes its name from Hindsville, Madison County. In some places this formation reaches a thickness of fifty feet. It is suitable for building stone and for making lime. The columns at the front entrance of the main building of the University of Arkansas, at Fayetteville, are of Hindsville limestone.

5. Immediately above the Batesville sandstone lies a dark-gray carbonaceous shale, called "Fayetteville shale," because it is best developed along the west fork of the White River near Fayetteville. This shale is soft and where exposed distintegrates rapidly, forming a black, fertile soil. Near its base is usually a thin bed of hard gray or blue limestone. Higher up the formation grades into a true sandstone. Southwest of Fayetteville, in the Wedington Mountain, this sandstone attains a thickness of about one hundred and fifty feet, hence it has been called the "Wedington sandstone."

6. The Pitkin limestone, regarded as the highest member of the Mississippian system in Arkansas, is widely distributed over the northern part of the state. It is exposed along the north side of the Boston Mountains and also along the south side of the same mountains in Franklin, Johnson and Newton counties. The southern outcrops attain a thickness of one hundred feet or more. In the Arkansas Geological Reports it is called "Archimedes limestone," on account of the presence of the screw-like stems of the bryozoan fossil Archimedes. It is a gray limestone, pure enough in some places for making lime, but is not suitable for building stone.

Other members of the Mississippian series are the Hot Springs sandstone, the Jackfork sandstone and the Stanley shale. The first named is not known except in the vicinity of Hot Springs, where it attains a thickness of about two hundred feet on the mountain ridges. The Jackfork sandstone, from five to six thousand feet in thickness, forms nearly east and west ridges on what is known as the Athens plateau south of the Ouachita Mountains. It is also exposed in the Ozark Mountains. The Stanley shale occurs in Clark, Garland, Hot Spring, Howard, Montgomery, Pike, Polk and Sevier counties. In Pike County it is about six thousand feet thick. Quartz veins in this formation in Sevier County contain antimony, lead and zinc, but the deposits have never been fully developed.

Passing on to the Upper Carboniferous period, we find those geological formations which contain the Arkansas coal measures. The lowest series mentioned in the Arkansas Geological Reports is the Morrow group, consisting of limestone, sandstone and shales. These beds underlie the sandstone of the "Millstone Grit" described by Owen in his reports. They vary in thickness from about two hundred feet in the western part of Independence County to four hundred feet near Fayetteville. In the upper part of the Morrow group (the Bloyd shale) a bed of coal about fourteen inches thick has been worked on a small scale in Washington County.

Just above the Morrow group lies the millstone grit, designated in the later Arkansas Geological Reports as the "Winslow formation." It constitutes the summit and southern slopes of the Boston Mountains, except in the deeper ravines, where older rocks are exposed. The structure of the formation is sandstone and shale, with a few coal veins too thin to be worked profitably.

At the base of the productive coal measures of Arkansas lies the Hartshorne sandstone. Its outcrops are seen from the eastern end of the Arkansas coal fields westward into Oklahoma. On the top of this sandstone rests the important coal bed known as the Hartshorne coal.

The McAlester group, immediately above the Hartshorne sandstone, is divided into three formations, viz.: The Spadra shale, the Fort Smith sandstone and shales and the Paris shale. The thickness of the McAlester deposits varies from a little less than four hundred to seven hundred feet. Each division contains one or more workable beds of coal. The formation covers the greater part of Crawford, Franklin, Johnson and Sebastian counties, the northern part of Scott and Logan counties, and about twenty square miles in the western part of Pope County.

Dr. John C. Branner, in his report for 1888 (vol. ii, p. 176), notes that the

Permian period of the Paleozoic era and the Jura-Trias beds of the Mesozoic era do not occur in Arkansas, but does not explain the reasons for their absence. A bulletin of the United States Geological Survey says: "The exposures of the Mississippian and the rocks below that horizon have resulted from the erosion or removal of rocks that once overlay them. Had the entire area of the state continued submerged during Mesozoic time, Triassic, Jurassic and Cretaceous rocks would most probably be found to overlie the Carboniferous formations. The distribution of the Cretaceous rocks, however, shows that at the close of Carboniferous time a large area became dry land, and that the shore of the Cretaceous Ocean crossed the southwestern part of the state somewhere below the northern border of the Cretaceous area shown on the geologic map."

On the geologic map referred to in the quotation, the northern boundary of the Cretaceous area is represented by a line running from a point a little northwest of Arkadelphia to the Oklahoma line almost due west from De Queen. The area embraces the southern half of Clark, Howard and Sevier counties, nearly all of Hempstead, the northwestern part of Nevada, the southeastern part of Pike, and a small tract in the western part of Little River County. Cretaceous rocks have also been recognized at a few places north of the Arkansas River.

Clays, gravels and sands of the Tertiary period are found in Crowley's Ridge, extending from the northeast corner of Clay County to Helena. There are also two Tertiary areas in the southern part of the state. The larger of these includes portions of Ashley, Bradley, Calhoun, Cleveland, Dallas, Drew, Grant, Hot Spring, Jefferson, Lincoln, Pulaski and Saline counties. The other embraces the greater part of Columbia, Nevada, Ouachita and Union counties. In the southern part of Clark County there is a small isolated Tertiary area and there are likewise two small isolated tracts in Miller County, one around Texarkana and the other in the extreme southwestern part of the state.

In the Eocene deposits of this period are found valuable beds of fire clay and potter's clay, especially those near Piggott, Clay County; Benton, Saline County; Malvern, Hot Spring County; and Fordyce, Dallas County. Near Camden, Ouachita County, and at several places in Crowley's Ridge there are beds of lignite. At some places in the Tertiary formations the sands have become indurated into compact sandstones. This kind of stone is found in abundance in connection with the lignite deposits in Ouachita County. In a few localities in Crowley's Ridge they form the hardest of quartzites.

Overlying the Tertiary area, and the Paleozoic rocks under the alluvial lands mentioned in the early part of this chapter, is a sheet of sedimentary materials—clays, gravels and sands—belonging to the Quaternary period. The best examples of these deposits are seen in the loess which caps Crowley's Ridge, on the river terraces and second bottoms of all the important streams. These materials have been accredited to the Pleistocene age.

IGNEOUS ROCKS

There are four small areas of igneous rocks in Arkansas, to wit: The Fourche Mountain region in Pulaski County, the Hurricane Creek region in

Saline County, the Magnet Cove region in the northern part of Hot Spring County, and the Potash Sulphur Springs region in the southeastern part of Garland County. Concerning these rocks the report of the Arkansas Geological Survey (vol. ii, 1890) says:

"The total area of igneous rock exposed within the boundaries of the State of Arkansas does not exceed thirteen or fourteen square miles, but the value of these rocks as building and paving materials gives them great economic importance. * * * The larger masses of igneous rocks occur on the southeastern side of the much disturbed and folded area known as the Ouachita uplift, which extends from the central portion of the state in a nearly due west direction to and across the Indian Territory boundary.

"Although no very decisive data have been obtained for the exact determination of the time of the intrusion of the syenitic rocks, it can nevertheless be stated with a good deal of certainty that they were formed about the close of the Cretaceous period. The formation of these rocks did not take place at once, however, but continued over a considerable period of time."

In addition to the four fields above mentioned, there are numerous dikes of igneous rock, which Doctor Branner says "might as well be associated with one group as another, and which are, as a matter of fact, probably directly connected with none of them." One of these small igneous areas is near the mouth of Prairie Creek, about two and a half miles southeast of Murfreesboro, Pike County. It contains less than ten acres, being about sixteen hundred by twenty-four feet.

While a technical description of the igneous rocks, their structure and relation to other formations, would no doubt be interesting to the student of geology, it is quite likely the average reader is more interested in their economic importance and the commercial value of their deposits. The blue granite (Pulaskite) of the Fourche Mountain region is one of Arkansas' best building stones. The Pulaski County Courthouse, the Roman Catholic Cathedral at Little Rock, the courthouse at Dallas, Texas, and many other buildings of a public or semi-public character have been erected of this stone. Thousands of tons of it in the form of paving blocks have been shipped to various cities of the country. The brown granite (dike rock), although occurring only in the form of bowlders, has been used to some extent as a building stone, especially in foundations. Gray granite, found in both the Fourche Mountain and Hurricane Creek regions, is inferior in strength to the blue granite, but it has been used as trimmings for buildings.

Over fifty different minerals have been found in the Magnet Cove region, including chrysolite, magnetite, or magnetic iron ore (sometimes called lodestone), mica, sunstone, opals and several species of garnets, particularly the cinnamon stone so frequently used in jewelry. Magnet Cove has long been known to mineralogists as one of the best fields in the country for the collection of rare and beautiful minerals. There is hardly a cabinet in the country that does not contain specimens from this cove. In the peridotite of Pike County are found the Arkansas diamonds. (See also the chapter on Mining and the historical sketches of the different counties.)

MINERAL WATERS

Arkansas probably contains more mineral springs than any other state in the Union. Exclusive of the famous Hot Springs, the Arkansas Geological Survey has analyzed the waters of about eighty springs and artesian wells. The result of these analyses is published in Volume I of the annual report for the year 1891. In connection with the analyses Doctor Branner says:

"It is a popular belief that mineral waters are 'nature's remedies,' and that as they are good things the more one has of them the better. * * * Such waters should not be used without some reference to what they contain. It is not meant to imply that these waters are dangerous, but simply that they have important medicinal properties, that they should be used as medicines with discrimination, and that those who have no need for medicines should not use them. It should be remembered also that whether a water is a good or a bad one for general use depends, not on the amount of matter it holds in solution, but rather on the quality of that matter. The waters containing carbonate of lime and the chalybeate waters are generally good ones, but the habitual use of magnesian waters is injurious to most persons, in spite of the fact that they may be beneficial to the same persons at times when they stand in need of such remedies. And because one can advantageously drink large quantities of the waters of Eureka Springs, Elixir Springs and Hot Springs—waters containing but little mineral matter in solution—it must not be inferred that he can drink like quantities of strong magnesian waters with similar effects."

But aside from the mineral springs, the waters of which have been analyzed, Arkansas is a well watered state. Throughout the limestone region in the northern part of the state are many springs of clear, pure water. The Mammoth Spring, in the northern part of Fulton County, is the largest known spring in the United States, if not in the world. It covers more than fifteen acres, is fed by an underground lake and discharges over four million gallons of water daily—more than is consumed by some of the cities in the country. Drought never affects it, and when the water of other springs becomes turbid on account of floods or rainy seasons, the Mammoth Spring still flows clear and pure, with a uniform temperature of 58° Fahrenheit.

The Batesville sandstone, which extends from Independence County westward to the state line, is a great reservoir. The water is soft, cool, pure and plentiful. The towns of Green Forest, Marshall, Mountain View, St. Joe and others in that section obtain their water supply from wells sunk in the Batesville sandstone formation.

CLIMATE

Being situated between the parallels of 33° and 36° 30′ north latitude, Arkansas has a climate that is unmarked by extremes of either heat or cold. Only in a few instances during the century since the organization of Arkansas as a territory has the mercury fallen below zero in winter, and only for brief periods at a time has it risen above 100° in summer. On July 1, 1879, the United States Weather Bureau established observation stations at Bentonville, Little Rock and Texarkana. Since that time the average temperature, by months, has been as follows:

Month	Bentonville	Little Rock	Texarkana
January	37.7	42.1	46.6
February	38.1	44.0	47.2
March	48.9	53.2	56.0
April	57.2	62.5	63.9
May	66.3	70.1	71.5
June	70.5	77.6	79.0
July	76.5	80.6	82.3
August	76.0	76.6	82.0
September	71.5	74.2	76.8
October	57.6	63.4	65.5
November	49.6	52.3	55.3
December	37.6	44.0	46.6
Average	57.7	62.0	64.0

In the northwestern highlands the date of the last killing frost in the spring, since the beginning of the weather bureau record, has not been later than April 27th. In the southern lowlands no killing frosts have occurred later than March 14th. The growing season therefore ranges from 169 days in the extreme northwest to 241 days in the southern counties.

William E. Woodruff, the founder of the "Arkansas Gazette," was a close observer and for many years published a "Meteorological Journal" monthly, for the month just past. Other pioneer journalists followed his example. From these old newspaper records it is learned that wet seasons have been much more frequent than droughts. In the southern part of the state and in the highlands north of the Arkansas River the annual rainfall is fifty inches or more. In the northwestern and southwestern parts of the state it is below forty-five inches. The following table, taken from official observations at Bentonville and Arkansas City, shows the rainfall by months since 1879 for the northern and southern portions of the state, as well as for the state at large:

Month	North	South	State
January	3.18	4.62	4.12
February	2.62	4.74	3.49
March	3.06	5.57	4.75
April	4.75	4.46	4.65
May	4.63	4.42	4.52
June	4.71	4.37	4.06
July	3.97	4.10	4.02
August	3.87	3.93	3.79
September	3.40	2.90	3.36
October	2.69	1.92	2.65
November	2.34	3.76	3.58
December	2.16	5.00	4.15
Total inches	41.38	49.79	47.14

The average snowfall in the southern portion is less than two inches, while in the northern counties a fall of almost seventeen inches has been recorded.

CHAPTER II

PREHISTORIC ARKANSAS

THE MOUND BUILDERS—THEIR WORKS—EIGHT DISTRICTS—CHARACTER OF RELICS IN EACH—ARKANSAS MOUNDS—EDWARD PALMER'S WORK—MOORE'S EXPLORATIONS —PRIVATE COLLECTORS—WHO WERE THE MOUND BUILDERS—RECENT DISCOVERIES AS TO THEIR ORIGIN.

Before the white man, the Indian; before the Indian, who? The question is more easily asked than answered. The first white settlements along the Atlantic coast were founded in the early part of the Seventeenth Century. More than one hundred years elapsed after these settlements were established before evidences were discovered to show that the interior of the continent had once been peopled by a peculiar race. Says one of the reports of the United States Bureau of Ethnology:

"During a period beginning some time after the close of the Ice Age and ending with the coming of the white man—or only a few generations before—the central part of North America was inhabited by a people who had emerged to some extent from the darkness of savagery, had acquired certain domestic arts, and practiced some well-defined lines of industry. The location and boundaries inhabited by them are fairly well marked by the mounds and earthworks they erected."

The center of this ancient civilization—if such it may be called—appears to have been in the present State of Ohio. From the relics left by this people, archaeologists have given them the name of "Mound Builders." Most of the mounds discovered are of conical shape and when explored have generally been found to contain human skeletons. For this reason they have been designated as burial mounds. Others are in the form of truncated pyramids; that is, square or rectangular at the base, with a flattened space or level plateau at the top. The mounds of this class are usually higher than the burial mounds, which has led archaeologists to advance the theory that they were used as lookouts or signal stations. Occasionally a conical mound is found with a flattened top. Here and there are to be seen well-defined lines of earthworks, indicating that they had been constructed for defense against invading enemies. In a few instances, the discovery of a large mound, surrounded by an embankment, outside of which are several smaller mounds, has given rise to the theory that such places were centers of religious worship or sacrifice.

EIGHT DISTRICTS

Cyrus Thomas, of the United States Bureau of Ethnology, has divided the region once inhabited by the Mound Builders into eight districts, in each of

which the mounds and relics show certain characteristics not common to the others. These districts are as follows:

1. The Dakotah District, which includes North and South Dakota, Minnesota, Wisconsin and the northeastern corner of Iowa. The distinguishing feature of this district is the large number of effigy mounds, constructed in the form of some bird or animal. Each of these effigy mounds is supposed to have been the totem of some tribe or clan, or represents some living creature that was an object of veneration. The burial mounds of this district are comparatively small and few in number. A few effigy mounds have been found with an outline of stone, in the form of a crude wall, which is filled with earth.

2. The Huron-Iroquois District, which embraces the country once inhabited by the Huron and Iroquois Indians. It includes the lower peninsula of Michigan, a strip across the northern part of Ohio, the greater portion of the State of New York, and extends northward into Canada. In this district burial mounds are numerous and a few fortifications have been found, but the "hut rings," or foundations of ancient dwellings, constitute the most notable relics. In the hut rings have been found fragments of pottery, stone utensils, bones of animals, charcoal and ashes.

3. The Illinois District, which includes the eastern and central parts of Iowa, the northeastern part of Missouri, the northern half of Illinois and the western half of Indiana. The burial mounds of this district grow smaller as one travels toward the south, especially near the Mississippi River. Those explored have been found to contain nothing more important than decayed human bones, a few fragments of pottery and stone chips.

4. The Ohio District, the most important in many particulars, embraces the eastern half of Indiana, all of Ohio, except the strip previously mentioned as belonging to the Huron-Iroquois District, and the southwestern part of West Virginia. Here both the burial mounds and fortifications are plentiful and the former are larger than the burial mounds found elsewhere, frequently having a diameter of one hundred feet or more at the base and rising to a height of seventy-five or eighty feet. Over ten thousand mounds have been explored in the State of Ohio alone.

The fortifications of this district present some interesting features. The "Great Serpent," a defensive earthwork in the form of a snake, situated on a bluff in Adams County, Ohio, is one of the most perfect specimens of this class of mounds so far discovered. In Madison County, Indiana, about forty miles northeast of Indianapolis, is a mound about one hundred feet in diameter at the base and thirty feet high, surrounded by an embankment twelve feet in height. The space between the mound and the inner side of the embankment is about forty feet wide and was connected by a subterranean passage with a big spring on the bank of the White River, some three hundred feet distant. The purpose of this passage was no doubt to enable the occupants of the fort to obtain a supply of water in case they were besieged.

The great Grave Creek Mound, in West Virginia, is one of the largest lookout or signal stations known. Archaeologists have refrained from making excavations into this mound, preferring not to disturb its symmetrical proportions. There are in this district many sacrificial mounds, surrounded by the usual embankments and the clusters of smaller mounds.

5. The Appalachian District, which embraces the mountainous regions of Eastern Tennessee, Western North Carolina, Southwestern Virginia and Northern Georgia. Throughout this district the relics indicate that the ancient inhabitants were different in many respects from the people of the other districts. The mounds are of a different design, especially the fortifications, stone graves and coffins are numerous, copper utensils and ornamental tobacco pipes, unlike those found in other localities, have been found in many of the burial vaults.

6. The Tennessee District includes Middle and Western Tennessee, Southern Illinois, nearly all of Kentucky, a strip through the central part of Georgia and a small section of Northern Alabama. In this district pottery is abundant, particularly the long-necked water jar. The fortifications are generally located near streams, with which they were once connected by covered ways, unquestionably with a view to withstanding a siege. Stone images, supposed to have been idols, have been found in many of the mounds. On the summit of the great truncated pyramid near Cahokia, Ill., were found charcoal and ashes, the remains of ancient signal beacons. The Eagle Mound near Lagrange, Ga., representing an eagle with outstretched wings measuring about one hundred feet from tip to tip, is one of the best proportioned effigy mounds in existence.

7. The Arkansas District includes the entire State of Arkansas, the northwestern part of Louisiana and the southeastern corner of Missouri. Pottery has been found in abundance in this district, hut rings and village sites have been discovered, though the burial mounds are small and few in number when compared with those of the adjoining districts. The relics in this district will be described more fully further on in this chapter.

8. The Gulf District, as the name indicates, includes the country bordering on the Gulf of Mexico. Here are several fine specimens of the truncated variety, some of them with terraces. Skeletons buried in bark coffins have been unearthed, and other skeletons have been found in caves. The entire district is rich in pottery, polished stones, etc. One feature of this district has proved something of a puzzle to archaeologists. That is the presence of knives, spearheads and other weapons of obsidian (volcanic glass), when the nearest known deposits of that material are at least a thousand miles distant.

ARKANSAS MOUNDS

John H. Reynolds, president of Hendrix College, in an article published in Volume I of the Arkansas Historical Collections, says: "Arkansas is rich in mounds and archaeological remains. We have never dealt seriously with the problem. People outside of the state seem to appreciate it more than we do. So rich in relics is Benton County that some eastern institution has offered prizes for the best papers written on them. Indian tools, ornaments and pottery have been found all along the rivers and prairies. In fact, there is scarcely a county in the state in which there are not traces of the aborigines."

The largest mounds in Arkansas are near the little Village of Toltec, in the western part of Lonoke County, sixteen miles in a southeasterly direction from Little Rock and about three miles from the Arkansas River. Between Toltec and the river are several small lakes. The largest of these is Mound Lake,

which has the appearance of having been the bed of an extinct river, or a bend in the Arkansas at some remote period. It is about four miles long and has an average width of about one hundred and fifty yards. On the shore of this lake is an embankment shaped almost like a horseshoe, the calks resting on the lake shore about half a mile apart. The embankment, which is believed to have been originally ten or twelve feet high, incloses nearly one hundred acres. It was doubtless built for defensive purposes, or to protect the land within the inclosure from inundation. But the action of the elements and the plow of the husbandman have worn it down until now it is only from three to four feet high. Just outside of the embankment are traces of a ditch, from which the earth was evidently taken for its construction.

Within the inclosure are the mounds. According to Edward Palmer, agent of the Smithsonian Institution, who visited these mounds in 1882, the largest mound of the group was then "100 feet high, 204 feet long at the base and 165 wide. It measures 60 by 70 feet on the top and is nearly square. It has natural bushes and trees covering it. Some elms are eighteen inches square. * * * The second in size of these mounds is 75 feet high, 85 feet wide on the top and 110 feet long. At the base it is 180 feet long and 55 feet at the west end, but at the east end it is 175 feet wide."

To the north and east of these two large mounds are several smaller ones, with no apparent system regarding their arrangement. They vary in height from five to twenty feet and are under cultivation as part of the field in which they are located. Scattered over the field within the embankment have been found fragments of pottery, utensils of hard sandstone, etc. These relics are situated on what is known as the Knapp farm. Pope, in his "Early Days in Arkansas," says: "Mrs. Knapp states that in one of the Smithsonian explorations in these mounds, in addition to other discoveries, there were found some immense crystals, showing that these prehistoric people must have visited Hot Springs."

Besides the Toltec mounds, Mr. Palmer examined several mounds near Heckatoo, Lincoln County; a mound on the Filler farm not far from Winchester, Drew County; mounds near West Point, White County; the Stone and Brookfield mounds three miles east of Harrisburg, Poinsett County; mounds and house sites a mile from Bradley's Landing, Crittenden County; several mounds in Saline County, and other relics in various parts of the state. Through his explorations and the courtesy of Arkansas citizens, he collected a large number of specimens of ancient pottery, stone utensils, human skulls, etc., for the Smithsonian Institution.

MOORE'S EXPLORATIONS

In the early part of the year 1908, Clarence B. Moore, representing the Academy of Natural Sciences, ascended the Arkansas River in a flat-bottomed steamboat of light draft, with thirteen men to make excavations into mounds and four men to direct operations. He first visited the Menard Mound, about six miles southeasterly from Arkansas Post and a mile from Menard Landing. This mound is located on the first high ground from the Mississippi, is not subject to overflow, and Mr. Menard stated that when the first white settlements

were made there evidences were found to show that the district was once densely populated. The mound is a truncated cone, 34½ feet high, with a base diameter of 167 feet and a diameter at the top of 28 feet. On the southwestern side are the remains of a causeway which was once of considerable size. Mr. Moore and his party spent several days at this mound. Although the plow had destroyed many relics, they found over one hundred burials and a number of fine pieces of aboriginal pottery. The skeletons were nearly all so badly decayed that they were of little archaeological value.

From the Menard Mound Mr. Moore went to Sawyer's Landing, five miles below Arkansas Post on the same side of the river. About a mile from the landing he explored a small mound, in which he found seven skeletons, twelve well preserved vessels of pottery, a brass disc about one and a half inches in diameter with a hole through the center. The brass was impure, containing lead, iron, and traces of arsenic and silver. One of the vessels found here had a bird's head modeled on one side. Another had the head of a frog, with the legs in bas-relief.

The next point visited was Old River Landing, three and a half miles above Arkansas Post. Here Mr. Moore examined a mound on the farm of H. S. Jones. The mound was only about five feet high and had originally been some seventy-five feet in diameter at the base, but part of it had been cut away by the construction of a road. In this mound Mr. Moore found forty-nine vessels of earthenware, a majority of which were broken beyond restoration. Most of the vessels had been buried in an inverted position. In a few cases a small vessel was found underneath a larger one, both inverted. One of the vessels was a large cooking pot rudely decorated with concentric circles and with soot still adhering to it. Other relics found here were arrowheads and small chisels of chert, shell beads, celts of hornstone and a small limestone tobacco pipe.

Ascending the river to a point about six miles below Douglas, Mr. Moore examined a mound on the left bank of the river. This mound he describes as "five feet high and eighty-seven feet in diameter." Several skeletons were found here, in three of which the bones were charred, indicating that the bodies might have been cremated. A large celt of igneous rock and a chert knife were found with the skeletons.

Two miles southeast of Douglas, on the farm of R. E. Lake, a mound six and a half feet high and seventy feet in diameter at the base was explored. A number of skeletons, some of them children, were found, as well as fifty-three well preserved specimens of pottery, shell beads, copper bracelets, tubular beads of sheet brass and some utensils of chert. One of the vessels resembled a pitcher, having a spout but no handle, cream colored on the outside and carmine on the inside. Another of the "tea-pot" variety was beautifully decorated with circles of red and yellow pigment.

A mound on the plantation of G. B. Greer, twenty-seven miles up the river from Pine Bluff, was next visited. This mound was used by the white people as a cemetery and no excavations could be made. Around the borders of the cemetery Mr. Moore found several skeletons, none more than two feet below the surface, knives and spear heads of chert, tines of deer horn smoothly sawed

off with some tool, tubular beads, bone awls, a shell gorget with a swastika decoration and a number of earthen vessels.

Mr. Moore's report of his explorations was published in Volume XIII of the "Journal of the Academy of Natural Sciences." It is interesting to the student of archaeology on account of the great number of fine colored plates made from photographs of the pottery found in the Arkansas mounds.

W. H. Holmes, of the United States Bureau of Ethnology, also made an exhaustive examination of many of the mounds in Arkansas. Accounts of his investigations are published in the third, fourth and twentieth annual reports of the Bureau.

PRIVATE COLLECTORS

While the Smithsonian Institution, the United States Bureau of Ethnology and the Academy of Natural Sciences have made the most complete and systematic study of the Arkansas mounds, several citizens of the state have shown a commendable interest in collecting relics of the aboriginal civilization.

W. P. Agee, of Hope, by excavation and purchase from other relic-hunters, gathered together a fine collection of pottery, domestic utensils and weapons of war from the mounds of Central and Southern Arkansas. This collection was purchased a few years ago by public-spirited citizens of Arkansas, presented to the Arkansas History Commission, and is preserved in the museum in the state capitol. The display of arrow and spear heads in the Agee collection is one of the finest in the United States.

J. K. Thibault collected from a number of small mounds on his farm, eight miles southeast of Little Rock, many fine specimens of pottery, well preserved skulls, pipes, utensils, slate beads, etc. Mr. Thibault was visited in the early part of 1883 by Edward Palmer, who pronounced the slate beads the finest he had ever seen. Through Mr. Palmer, Mr. Thibault presented to the National Museum "several specimens of crania and pottery," and loaned others that casts of them might be made. Mrs. Helen E. Hobbs, a sister of Mr. Thibault, also collected many interesting relics in the neighborhood of her plantation. Her collection is now in the museum of the Arkansas History Commission.

At the meeting of the Arkansas History Commission held in Little Rock on May 22, 1908, Rt. Rev. J. M. Lucey, of Pine Bluff, and H. L. Stoddard, of Stuttgart, read papers on "The Historical Relics of Arkansas and their Preservation." Both gentlemen deplored the fact that museums outside the state had robbed Arkansas of some of her most valuable relics, and urged the importance of action for their preservation. In connection with his paper, Mr. Stoddard exhibited some rare relics in his possession and explained their probable significance. His collection, which is not so extensive as some others, makes up in character what it lacks in quantity. Concerning the relics displayed by Mr. Stoddard on this occasion, the "American Antiquarian" (Vol. XXV, No. 3), says:

"A remarkable find of relics has been made in a mound near Stuttgart, Arkansas. It consists of a couple of carved pipes, which bear the semblance of the male and female; the male is in a kneeling posture and the female seated. Along with them was a large circular plate made of polished stone, nearly

SKULLS TAKEN FROM PREHISTORIC MOUNDS

PREHISTORIC POTTERY TAKEN FROM MOUNDS

flat. In the center was a phallic symbol representing the yoni conventionalized. The border of the plate represents thirty-six semi-circular figures, opening toward the symbol in the center. The relics are now owned by Mr. Stoddard, of Stuttgart, who thinks he finds in them Chinese symbols and figures which have a strange significance."

Throughout the state other collections have been made, many of them by persons who understood little or nothing of the historic importance of the relics. The result has been the destruction, through ignorance, of many fine specimens of the aboriginal civilization.

WHO WERE THE MOUND BUILDERS

Numerous works have been written upon the subject of the Mound Builders and nearly every author has advanced a theory as to their origin. Some writers have endeavored to establish a connection between them and the ten lost tribes of Israel. Others claim to have made discoveries which identify them as of Mongolian extraction. Still others regard them as a distinct race that has disappeared. Some maintain that the Mound Builders first appeared in Ohio (from where they do not make plain), where they established their civilization. From the Ohio Valley they worked their way southward, finally reaching Mexico and Central America, where the white man found their descendants in the Aztec and Toltec Indians. Gilbert Knapp, who owned the farm in Lonoke County on which the mounds previously described are situated, was a believer in this hypothesis and it was due to his influence that the station on the St. Louis Southwestern Railroad near the mounds was named "Toltec."

Other archaeologists, with arguments equally plausible and logical, contend that the Mound Builders originated in the South and migrated slowly northward until their progress was checked by hostile tribes dwelling near the Great Lakes. The weak link in this chain is the failure to account for the identity of the hostile tribes. If the Mound Builders were a distinct race, about whom the Indians have no traditions, who were the tribes that checked their northward march?

Among the earliest writers on the subject were Squier and Davis, who about the middle of the Nineteenth Century published a work entitled "Ancient Monuments of the Mississippi Valley." Between the years 1844 and 1848 these two archaeologists explored over two hundred mounds, the description of which, with the account of their discoveries, was published by the Smithsonian Institution. Following the lead of Squier and Davis came other investigators and writers, practically all of whom agreed upon only one thing, viz.: That the Mound Builders constituted a very ancient and separate race. The principal reasons for this view were: first, upon the mounds and earthworks were trees of several feet in diameter, evidence that the works were of great antiquity; second, the Indian tribes first met by the white man had no traditions concerning many of the relics and knew nothing of the people who left them. Thomas Nuttall, who traveled through Arkansas about the time it was organized as a territory, says in his Journal on March 28, 1819:

"I observed in my ramble a considerable collection of aboriginal tumuli (mounds), towards the center of which, disposed in a somewhat circular form,

I thought I could still discern an area which had once been trodden by human feet. * * * Besides these tumuli scattered through the forests, there are others on the summits of the hills, formed of loose stones thrown up in piles. We have no reason to suppose that these remains were left by the Arkansas; they themselves deny it, and attribute them to a people distinct and governed by a superior policy."

In more recent years, archaeologists who have made extensive research among the mounds, particularly those who have given the relics a close study in connection with the United States Bureau of Ethnology, are almost unanimous in the conclusion that the Mound Builder was nothing more than the ancestor, more or less remote, of the North American Indian. A close comparison of the skeletons found in the mounds with those of modern Indians discloses the fact that they have many characteristics in common, indicating that they descended from the same parent stock.

Marquette and Joliet visited the Arkansas Indians in 1673 and the report of this voyage down the Mississippi says: "They make three crops of Indian corn a year. They roast and boil it in large earthen pots very curiously made. They have also large baked earthen plates, which they use for different purposes. The men go naked and wear their hair short. They pierce their noses and ears, and wear rings of glass beads in them."

In the earthen pots and plates found among the Arkansas Indians by Marquette and Joliet, and the beads worn in the ears and noses of the men, there is undoubtedly a relationship to the pottery and ornaments found in the mounds along the Arkansas River.

Early French and Spanish explorers in what is now the southern part of the United States, found that among certain Indian tribes, notably the Natchez, the house of the chief was always built upon an artificial mound. Says Margry: "When the chief dies they demolish his cabin and then raise a new mound, on which they build the cabin of the chief who is to succeed the one deceased in this dignity, for the chief never lodges in the house of his predecessor."

How long this custom had prevailed no one knows, but it may account for the large number of small artificial mounds in the country once inhabited by the Natchez and their kindred tribes. In the early Colonial Records of Georgia it is stated that the Yamasee Indians erected mounds over the remains of those slain in battle. Charlevoix found some of the Canadian tribes building earthworks resembling those in the Huron-Iroquois District of Thomas' division.

In the early exploration of mounds, some surprise was manifested at the presence of charcoal and burnt or baked clay. Investigations by the Bureau of Ethnology have brought to light a custom among certain tribes in the Arkansas and Gulf districts, where the family hut was often built upon an artificial mound, usually of small dimensions. The hut was constructed of poles and plastered with wet clay. Upon the death of the head of the family, the body was buried under the center of the hut, which was then burned. This custom, practiced perhaps for generations, explains the great number of small mounds, each containing a single skeleton surrounded by baked clay and charcoal.

Again, representatives of the Bureau of Ethnology found some of the

southwestern tribes engaged in making pottery very similar in design and texture to that found in the mounds of the Arkansas and Gulf districts. And when the first white men visited the Siouan tribes of the Northwest, they found them using arrow heads of flint not unlike those found in the mounds.

In the light of these disclosures it is not surprising that the Indian ancestry theory has made great headway since the establishment of the Bureau of Ethnology, and that a large majority of the leading archaeologists of the country give it their support. Says Cyrus Thomas: "The hope of ultimately solving the problem is perhaps as lively today as in former years. But with the vast increase of knowledge in recent years, a modification of the hope entertained has taken place."

CHAPTER III

INDIAN HISTORY

ORIGIN OF THE NAME "INDIAN"—TRIBAL DISTRIBUTION—THE ARKANSAS—THE CHEROKEE—THE CHOCTAW—THE OSAGE—TREATIES—FOREIGN POLICIES CONCERNING THE INDIANS—THE SPANISH POLICY—THE FRENCH POLICY—GREAT BRITAIN'S POLICY—POLICY OF THE UNITED STATES—TREATY OF FORT CLARK—FIRST CHEROKEE TREATY—QUAPAW TREATY OF 1818—SECOND OSAGE TREATY—CHOCTAW TREATY OF 1820—QUAPAW TREATY OF 1824—OSAGE TREATY OF 1825—SECOND CHOCTAW TREATY—CHEROKEE CESSION OF 1828—THE CADDO TREATY.

There have probably been published more volumes relating to the Indian tribes of North America than on any other one subject connected with American history. To the student of history and ethnology there is a peculiar fascination in the story of these savage people—legends, traditions, superstitions and customs—that makes the theme one of surpassing interest, and no history of Arkansas would be complete without some account of the tribes that inhabited the country before the advent of the white man.

When Christopher Columbus made his first voyage to the Western Hemisphere in 1492, he believed he had attained the fruition of his long cherished hope, and that the country where he landed was the eastern shore of Asia. Explorers who followed Columbus, entertaining a similar belief and thinking the country was India, gave to the copper colored people they found here the name of "Indians." Subsequent explorations disclosed the fact that the land discovered by Columbus was really a continent hitherto unknown to the civilized nations of the world. Thus the geographical error was corrected, but the name given to the natives by the early adventurers still remains.

TRIBAL DISTRIBUTION

Ethnologists have divided the North American Indians into groups or families, each of which is distinguished by certain physical and linguistic characteristics. Each of these groups is likewise subdivided into a number of tribes. At the beginning of the sixteenth century, when the first Europeans came to America, they found the leading Indian families distributed over the continent as follows:

In the far north were the Eskimo, a people who have never played any conspicuous part in history. These Indians still inhabit the country about the Arctic Circle. Occasionally some of them have been employed as guides to polar expeditions, or parties of gold seekers, which has been practically their only association with the white race.

The Algonquian family, the most numerous and powerful of all the Indian

nations, occupied a great triangle, roughly bounded by the Atlantic coast from Labrador to Cape Hatteras and by lines drawn from those two points to the western end of Lake Superior. Within this triangle lived the Delaware, Miami, Pottawatomi, Shawnee, Sac and Fox and other powerful tribes, which yielded slowly and with stubborn resistance to the advance of the pale-face civilization.

In the heart of the Algonquian country, along the shores of Lake Ontario, were the Iroquoian tribes—the Cayuga, Mohawk, Oneida, Onondaga and Seneca —known to the early white settlers as the "Five Nations." When the Tuscarora tribe was added in the early part of the eighteenth century, the confederacy took the name of the "Six Nations."

South of the Algonquian triangle, extending from the Atlantic coast to the Mississippi River, lay the domain of the Muskhogean group, the principal tribes of which were the Cherokee, Chickasaw, Choctaw and Creek. The Indians of this group were among the most intelligent, as well as the most aggressive and warlike, of all the North American tribes.

In the Northwest, about the headwaters of the Mississippi and extending westward to the Missouri River, in what are now the states of Minnesota, North and South Dakota, the eastern part of Montana and Northern Nebraska, dwelt the Siouan family, composed of a number of tribes closely resembling each other in physical appearance and dialect, all noted for their warlike disposition and military prowess.

To the south and west of the Siouan country roamed the "Plains Indians," a group consisting of mixed stock. Their hunting grounds extended from the central part of Nebraska and Kansas to the foothills of the Rocky Mountains. In the north were the Arapahoe and Cheyenne tribes. They were of Algonquian origin, but according to their traditions separated from the main body of that family long before the first white men came to America. Farther southward were the Apache, Comanche and Kiowa, all skillful hunters and brave warriors.

The early home of the Caddoan family was on the lower Red River, in what is now the State of Louisiana. From there they spread north, west and south. Maj. J. W. Powell, of the United States Bureau of Ethnology, says: "The Caddoans may be treated in three geographic groups: The Northern, represented by the Arikara in North Dakota; the Middle, comprising the Pawnee confederacy formerly living on the Platte River, Nebraska, and to the west and southwest thereof; and the Southern group, including among others the Caddo, Kichai and Wichita. The tribes included in the Southern group were scattered throughout the region of the Red River of Louisiana and its tributaries, in Arkansas and Southern Oklahoma, where their names survive in the Washita River, the Wichita Mountains and River, etc."

West of the "Plains Indians" dwelt the Shoshonean group, the principal tribes of which were the Bannock, Comanche and Shoshone (or Snake). This group was one of the smallest in the territory now occupied by the United States. Scattered over other parts of the country were numerous minor tribes, which in all probability had separated from some of the great families, but who, at the time they first came in contact with the white man, claimed kinship with none. These tribes were generally inferior in numbers, often nomadic in their habits, and consequently are of little importance historically.

In a history such as this, it is not the design to give an extended account

of the Indian race as a whole, but to notice only those tribes which once inhabited or laid claim to the territory now comprising the State of Arkansas. Foremost among these tribes were the Arkansas (or Quapaw), the Cherokee, the Choctaw and the Osage.

THE ARKANSAS

According to J. O. Dorsey, of the United States Bureau of Ethnology, the Arkansas, or, more properly speaking, the Quapaw Indians, were of Siouan stock—one of the two divisions forming the Dhegiha group. In the early part of the Sixteenth Century, the Quapaw was one of five allied tribes which inhabited the lower Ohio Valley. The other four tribes of this confederacy were the Kansa, Omaha, Osage and Ponca. The name "Akansa" or "Arkansa" was given to the tribe by the Illinois Indians. In the course of their migrations these confederated tribes reached the mouth of the Ohio, where they separated. The one tribe that descended the Mississippi became known as the "U-gakh-pa," or "downstream people." The other four tribes went up the Mississippi and took the name "O-ma-ha," meaning "upstream people."

Some years later De Soto found the "downstream people" living in a "fortified village, very great, walled and beset with towers. And in the town was great store of old maize and great quantity of new in the fields." Mr. Dorsey locates this village (called Pacaha) on the west bank of the Mississippi, north of the Arkansas River, probably in Phillips County, Arkansas.

"There are," says he, "archaeological remains and local conditions in this county which suit exactly the description of Pacaha; the lake on one side, Mississippi River on the other, the connecting channel and the island near by. There is, it is true, a locality in Crittenden County, where the ancient works, lake, channel, river and island are all found, but this locality does not agree so well with the narration. The statement by early French explorers, who found them below the mouth of the St. Francis River, that they had removed from their old town, where the outworks were still to be seen, a short distance to the north, indicates that they had been in that region for many years."

One hundred and thirty-two years after De Soto's visit, when the French began the exploration of the Mississippi, these Indians again appear in history. Marquette and Joliet reached their country in June, 1673, and gave them the name of "Akansea." On Marquette's map the village of the Akansea is shown on the Arkansas River some distance above its mouth. Nine years later Jacques de la Metairie, the notary accompanying La Salle's expedition down the Mississippi, wrote:

"On the 12th of March we arrived at the Kapaha village, on the Arkansas. Having established a peace there and taken possession, we passed on the 15th another of their villages situated on the border of their river, and also two others farther off in the depth of the forest, and arrivèd at that of Imaha, the largest village of this nation."

When Joutel visited this part of the country in July, 1687, he found the Quapaw then living in four villages, two of which were on the Arkansas River and two on the Mississippi. The names of these villages are spelled in various

ways, but a majority of authorities agree upon Toriman and Osotony as the villages on the Arkansas and those on the Mississippi were Kappa and Toyengan

There seems to be some foundation for the traditon that the Quapaw once lived along the lower Ohio River. Father Gravier, who made a voyage down the Mississippi in 1700, says: "The Oubache (Wabash) and the lower Ohio are called by the Illinois and Miami Indians the rivers of the Akansea, because the Akansea formerly dwelt upon their banks."

Gravier locates the village of Kappa on the Mississippi, half a league from the water's edge and eight leagues above the mouth of the Arkansas. A second village was located five leagues above the mouth of the Arkansas. He says the inhabitants of this village "are much more numerous than the Kappa and Tourima." He also mentions that he encamped "a league lower down, half a league from the old village of the Akansea, where they formerly received the late Father Marquette, and which is discernible now only by the old outworks, there being no cabins left."

A few years later Le Page du Pratz visited the Quapaw country. He reported that he found their villages on the Arkansas River, not far from the post established by Tonti, where they had been joined by the Michigamea and some of the Illinois Indians. This is the only mention of anything like an alliance between the Quapaw and Michigamea, and the statement of Du Pratz should be accepted with some allowance. The Michigamea was an Algonquian tribe, whose original habitat was on the shores of Lake Michigan. The name is derived from two Indian words, to wit: "Michi" (great or much) and "guma" (water). Driven from that region by their enemies, they formed an alliance with certain Illinois tribes. Later these confederate tribes moved southward to escape the attacks of the Sioux and Fox Indians, finally locating in Southern Illinois and Southeastern Missouri. In 1673 Marquette found their village on the "west side of the Mississippi River and near a lake bearing the same name as the tribe."

James Mooney and Cyrus Thomas, of the United States Bureau of Ethnology, think the lake mentioned by Marquette is Big Lake, between the Mississippi and St. Francis rivers, in the northern part of Mississippi County, Arkansas. The same authorities state that about the end of the seventeenth century the Michigamea were driven out by the Quapaw or Chickasaw and crossed over into Illinois. If they were driven out at the time stated, they could not have been associated with the Quapaw at the time of Du Pratz's visit.

Father Zenobe Membre, the Recollet priest who accompanied La Salle down the Mississippi in 1682, writing of the Akansea Indians, said: "These Indians do not resemble those at the north, who are all of a morose and stern disposition; these are better made, civil, liberal, and of a gay humor." Other early explorers agree that the Akansea were superior to most of the tribes they had met elsewhere. They were tillers of the soil, knew how to build log cabins, and had made considerable advance in culture along various lines. A few of the chiefs had more than one wife, but polygamy was not common among them.

Dorsey divides the Quapaw into twenty-two gentes or clans, viz: Zha-we (beaver), Waz-hing-ka (small bird), Wa-sa (black bear), Te (buffalo), Pe-tang (crane), Nan-pan-ta (deer), Shan-gke (dog), Khidh (eagle), An-pan (elk), Hu (fish), Man-tu (grizzly bear), Hang-ka (ancestral), Tang-dhang-tan-ka

(panther), We-sa (snake), Mik-akh (star), Mi (sun), Tuk-he (reddish yellow buffalo), Wa-kan-ta (thunder-being), Ke (turtle), Mah-ke (upper world), Ni-ki-a-ta and Tiz-hu (unknown).

De Soto's chroniclers state that in 1541 some five or six thousand Indians fled from the village of Pacaha to the island upon the approach of the Spaniards. Two hundred years later Father Vivier mentions the Arkansas as "an Indian tribe of about four hundred warriors, equaling fourteen hundred or fifteen hundred souls." In 1910 the population of the tribe, including all mixed bloods, was 305, all under the Seneca School superintendency in Oklahoma.

THE CHEROKEE

Although inhabiting a territory within the bounds of the Muskhogean domain and usually classed as one of the Muskhogean tribes, the Cherokee were of Iroquoian stock. Archaeologic, linguistic and traditional evidence all show that the tribe originated in the north. When encountered by De Soto in 1540, their habitat included the mountainous portions of Southwestern Virginia, North and South Carolina, Georgia, Tennessee and Alabama. In the Revolutionary war they fought on the side of Great Britain, and they were not subdued by the United States until 1794.

About the beginning of the nineteenth century missionary and educational work was commenced among them. In 1820 they adopted a regular form of government modeled after that of the United States. The next year Sequoya (George Gist), a Cherokee half breed, invented the alphabet. Within a short time many of his tribesmen were able to read and write their language. This achievement raised the Cherokee to the rank of a literary people. Previous to this time, however, white settlers had been encroaching upon the Cherokee lands. In 1817 a considerable number of the more conservative members of the tribe relinquished their claim to lands east of the Mississippi and accepted a grant in Arkansas (see Treaties).

While the prosperity of the Cherokee Nation was at its height, gold was discovered near Dahlonega, Georgia. Immediately a powerful agitation was begun demanding the removal of the Indians. Under the leadership of their great chief, John Ross, they resisted all efforts to remove them for several years. But the influence of the white man's government was too powerful to be overcome. By the treaty of New Echota, December 29, 1835, the Cherokee ceded their entire remaining territory east of the Mississippi and agreed to remove to the reservation afterward known as the "Cherokee Nation," in the Indian Territory. The removal was not made until the winter of 1838-39. Many of the tribe refused to leave their old home and had to be evicted by a military force. Several hundred escaped to the mountains and lived there until 1842, when they were given a reservation in Western North Carolina.

Part of the Arkansas band had gone to the Indian Territory some years before the removal of the main body from east of the Mississippi. They were called "old settlers." When the Cherokee government was reorganized in 1839, these old settlers were admitted, with equal privileges. The capital of the reorganized government was established at Tahlequah, now the county

seat of Cherokee County, Oklahoma. The other portion of the Arkansas band, under the leadership of the chief known as Colonel Bowles, went to Texas about 1824 and received a grant of land from the Mexican Government. Fifteen years later the Texan revolutionists refused to recognize their rights and demanded their expulsion. Gen. Samuel Houston, president of the Texan Republic, defended the Indian claim and counseled moderation in dealing with them. Despite his advice a conflict was precipitated, in which Colonel Bowles and a number of his warriors were killed. The survivors joined their tribesmen in the Indian Territory and became a part of the Cherokee Nation.

Of the seven Cherokee clans that of the Wolf was the most important. These clans seem to have sprung from the "seven mother towns of the Cherokee," described by Cuming in 1730 as "having each a chief, whose office is hereditary in the female line."

Many of the Cherokee were slave owners. At the beginning of the Civil war in 1861, these slaveholders took sides with the Southern Confederacy. Others of the tribe adhered to the Federal Government. The result was that the Cherokee Territory was alternately overrun by both the Northern and Southern armies. The close of the war found them in a prostrated condition. In 1866 they were readmitted to the protection of the United States, on condition that they would liberate their negro slaves and admit them to equal citizenship.

At the beginning of the present century the Cherokee Nation numbered 28,016 persons, including 3,000 adopted negro freedmen, 2,000 adopted whites, and 1,700 adopted Indians of other tribes, principally Delaware and Shawnee.

THE CHOCTAW

Among the tribes of the Muskhogean family, the Choctaw occupied a prominent place. Their early home was in the central and southern parts of Mississippi and Alabama. In their most flourishing days they had almost one hundred villages. Many of the streams and towns in Alabama and Mississippi—such as Bogue Chitto, Chickasawhay, Coosa, Pushmataha, Tombigbee, Tuscaloosa, Tuskegee, Wahalak and Yazoo—bear Choctaw names. They were the most skilful agriculturists of all the southern tribes, cultivating a greater variety of crops and with better success. Although brave, most of their wars were of a defensive character.

The earliest mention of the tribe is found in the De Soto narratives for 1540. The natives who gave battle to the Spaniards at the Town of Mauvila belonged to this tribe, and the chief, Tascalusa, referred to by De Soto's chroniclers as a giant, was a Choctaw. The name is believed by some writers to be a corruption of the Spanish "chato," which means flat or flattened—a name applied to these Indians by De Soto's followers on account of their custom of artificially flattening their heads.

When the French began to establish settlements at Biloxi, Mobile and New Orleans, about the beginning of the eighteenth century, friendly relations were established between them and the Choctaw. This friendship lasted until France surrendered her American possessions east of the Mississippi to Great Britain in 1763. Immediately after that event, many of the Choctaw removed to the

west side of the Mississippi to avoid coming under British domination. Here they lived in the Caddo country in Louisiana. Early in the nineteenth century, some of the Choctaw found their way into Arkansas.

Maj. Stephen H. Long, in his report of his expedition in 1819, says: "There are a few villages of the Quapaw or Arkansas, and Choctaw, situated on the south side of the Arkansas River, below the highlands. They are not numerous, subsist principally upon game and Indian corn of their own raising, and have ever been friendly to the whites. Upon the River St. Francis are a few settlements of the Delaware and Shawnee, dispersed remnants of those unfortunate nations."

In the year following this report by Major Long, the main body of the Choctaw tribe ceded their lands east of the Mississippi and received therefor a large tract west of that river, including Southwestern Arkansas. (See Treaties.)

By the act of March 23, 1842, the United States Government gave certain lands in the Indian Territory "in fee simple to the Choctaw and their descendants, while they shall exist as a nation and live thereon." In accepting this grant the Choctaw Nation became one of the "Five Civilized Tribes." When the tribe first came into relations with the French, about the year 1700, the population was estimated as high as 20,000. Their number in 1904 was 22,527, including 4,722 negro freedmen, all under the Union Agency in the Indian Territory. There were also at that time a few Choctaw in Mississippi and Louisiana.

THE OSAGE

The Indian name of this tribe was Waz-haz-he, which was corrupted by the early French traders into Osage. Dorsey classed them under the name Dhegiha, in one group with the Kansa, Omaha, Ponca and Quapaw, all of Siouan stock. Geographically, the Osage were divided into three bands, to wit: Pa-hat-si (Great Osage), Ut-seh-ta (Little Osage), and Sant-sukh-dhi (the Arkansas Band).

The first notice of the tribe historically appears on Marquette's map of 1673, which locates them on a stream evidently intended for the Osage River, in what is now Western Missouri. Subsequent writers agree upon this locality as the home of the Osage, though they seem to have been in the habit of visiting tribes in other parts of the country. In 1694 Father Jacques Gravier met some of their chiefs among the Illinois Indians, having come there to form an alliance with that tribe. In 1712 a part of the Osage assisted the French to repel the Fox attack upon Detroit. Charlevoix found a party of Osage at the Kaskaskia village in the fall of 1721, whither they had gone "to sing the calumet."

According to Lewis and Clark, about 1802 nearly half of the Great Osage, under a chief called Big Track, migrated to the three forks of the Arkansas River, which was the beginning of the Arkansas band. The same explorers reported this band as living in 1804 on the Vermilion River, a tributary of the Arkansas, though they claimed all the country north of the Arkansas, extending eastward to the Mississippi. At that time Lewis and Clark estimated the number of the warriors in the three Osage bands at 1,300. Concerning their

population and status at a much later date, John R. Swanton, of the United States Bureau of Ethnology, says:

"The limits of their present (1906) reservation were established by act of Congress of July 15, 1870. This consisted of 1,470,058 acres. In addition the tribe possessed funds in the Treasury of the United States amounting to $8,562,690, including a school fund of $119,911, the whole yielding an annual income of $428,134. Their income from pasturage leases amounted to $98,376, and their total annual income was therefore about $265 per capita, making this tribe the richest in the entire United States. By the act of June 28, 1906, an equal division of the lands and funds of the Osage was provided for. The population then was 1,994."

Thomas Nuttall, who made a journey through the Arkansas Territory in 1819, and spent some time in the Osage country, says: "The Osage are more than usually superstitious. With them an ominous dream is often sufficient to terminate the most important expedition. After performing an exploit, instead of pursuing their success, scarcely any consideration can deter them from instantly returning to bear the welcome intelligence to their band.

"Their communication with each other is so frank that nothing can remain a secret. In this way their intentions of war and plunder are long anticipated, however sudden and secret may be their actual operations. They are no strangers to dissimulation, when it will answer their purpose in their intercourse with others, but falsehood among their friends would be looked upon as unnatural and unpardonable. They entertain unconquerable prejudices against hunters. While in the village, or in their company abroad, the stranger is sure to be protected and treated like themselves in every particular; but if he is found in their country as a foreigner, and pursuing a different interest from their own, he can scarcely be distinguished from an enemy and an intruder, and must calculate on meeting with chastisement accordingly.

"To be found upon their war-paths is likewise considered criminal. These particular routes which they pursue in quest of their enemies are recognized by beacons, painted posts and inscribed hieroglyphics, commonly set up near the boundaries of their range; and those whom they chance to find in this direction are at best considered as ambiguous friends and trespassers on the neutral character which is expected to be maintained."

TREATIES

For many years, perhaps for centuries, the Indian tribes roamed at will over their respective chosen hunting grounds, with "none to molest them or make them afraid," except for occasional intertribal wars. Then came the white man, first as an explorer, then as a trader, finally as a conqueror, and the red man ceased to be the owner and proprietor of the soil. The manner in which the white man obtained possession of the Indian lands was the outgrowth of the policies adopted by the European nations first making discoveries in America, and their methods of dealing with the natives. A brief notice of these policies is necessary, in order to understand how the treaty system came into existence.

THE SPANISH POLICY

When Cortez was commissioned captain-general of New Spain in 1529, he was instructed to "give special attention to the conversion of the Indians; to see that no Indians be given to the Spaniards as servants; that they pay such tribute to His Majesty as they can easily afford; that there shall be a good correspondence maintained between the Spaniards and the natives, and that no wrong shall be offered the latter either in their goods, families or persons."

Despite these explicit instructions from the Spanish Government, during the conquest of Mexico and Central America extreme cruelty was visited upon the natives. They were regarded as slaves, whose services were due their conquerors, and many of them were forced to work in the mines, under an exacting taskmaster, without compensation. After Cortez came Don Sebastian Ramirez, bishop and acting governor, who endeavored to carry out the humane orders of the commission. His first efforts were toward converting the Indians to the Catholic faith. Antonio de Herrera says that under his administration "the country was much improved and all things carried on with equity, to the general satisfaction of all good men."

The Spanish authorities never accepted the idea that the Indian was the owner of all the land, but only of such tracts as were actually occupied, or that might be necessary to supply the wants of the tribe. All other lands were claimed by Spain "by right of discovery," and the policy of dealing with the Indians was based upon this hypothesis. In fact, frequent land grants were made to individuals without the authorities going through the formality of ascertaining whether or not such lands were occupied by the Indians or were necessary for their support.

THE FRENCH POLICY

It seems that the French had no settled policy regarding the title to the land in sections where they acquired control of the Indian trade. In the letters patent given by Louis XV to the Western Company in August, 1717, was contained the following provision:

"Section IV—The said company shall be free, in the said granted lands, to negotiate and make alliance with all the nations of the land, except those which are dependent on the other powers of Europe; she may agree with them, on such conditions as she may think fit, to settle among them and trade freely with them, and in case they insult her she may declare war against them, attack or defend herself by means of arms, and negotiate with them for a peace or truce."

It will be noticed that in this section nothing is said about the acquisition of lands. Yet, under its indefinite provisions in this respect, John Law, as the head of the Western Company, undertook to establish his "duchy" in what is now the State of Arkansas, an account of which will be found in another chapter of this history.

In a few instances, the founder of a French settlement was given an absolute title to a certain parcel of land, usually with seigneurial rights. But as a rule the French cared little for the ownership of the lands, the principal

object being a monopoly of the Indian trade. The French trading post did not require a large tract of land, and outside of the site of the trading house, with perhaps a small garden for the trader, the Indians were left in full possession of their hunting grounds. Nor did the French become the actual owners of the small tracts at the trading posts. In the event the post was abandoned, the land reverted to its Indian owners. Under such a liberal policy it can be readily understood why the French traders were, except in rare instances, always on friendly terms with the natives.

GREAT BRITAIN'S POLICY

The English treated the Indian as a barbarian and, in making grants of land, the crown ignored any claim the natives might make to the ownership of the soil. The so-called "Great Patent of New England," which was issued to the Plymouth Company and embraced all the land from 40° to 48° north latitude, made not the slightest allusion to the Indian title. English colonists often were forced to purchase their lands from tribal chiefs, even though they might hold a royal grant. Failure to quiet the Indian title in this manner was the cause of several disastrous wars.

An example of the English policy is seen in the charter granted by Charles I to Lord Baltimore, wherein the grantee was given authority "to collect troops, wage war on the 'barbarians' and other enemies who may make incursions into the settlements, and to pursue them even beyond the limits of their province, and if God shall grant it, to vanquish and captivate them; and the captives to put to death, or, according to their discretion, to save."

Thus all the nations of Europe which claimed territory in America asserted in themselves and recognized in each other the exclusive right of the discoverer to claim and appropriate the lands occupied by the native tribes. Says Parkman: "Spanish civilization crushed the Indian; English civilization scorned and neglected him; French civilization embraced and cherished him."

POLICY OF THE UNITED STATES

In the early settlements in America, in dealing with the natives, the French, Spanish and English colonists generally adhered closely to the policy of the nation to which they belonged. By the treaty of September 3, 1783, which ended the Revolutionary war, all the rights and powers of Great Britain descended to the United States. In this way the United States inherited the English method of dealing with the Indian tribes. Experience had taught them at least some of the mistakes of the mother country, hence the Articles of Confederation, the first organic law of the American Republic, contained the following provision:

"The United States in Congress assembled shall have the sole and exclusive right and power of regulating the trade and managing all affairs with the Indians not members of any of the states, provided that the legislative right of any state within its own limits be not infringed or violated."

In 1789 the Articles of Confederation were superseded by the Constitution and on March 1, 1793, President Washington approved an act to regulate trade

with the Indians. In this act it was expressly stipulated "That no purchase or grant of lands, or any title or claim thereto, from any Indians, or nation or tribe of Indians, within the bounds of the United States, shall be of any validity, in law or equity, unless the same be made by a treaty or convention entered into pursuant to the constitution."

The penalty for each violation of this act was a fine of $1,000, to which might be added imprisonment for a term not exceeding twelve months. With amendments, made by subsequent sessions of Congress, this law remained in force as the basis of all relations with the Indian tribes for nearly eighty years, or until the passage of the act of March 3, 1871, which brought under the immediate control of Congress the transactions with the Indians and reduced to simple agreements what had before been accomplished by solemn treaties.

The first treaties made by the United States with the Indian tribes or nations were usually merely agreements of peace and friendship. On a few occasions boundary lines between the white settlements and the Indian lands were defined. In a few cases of this nature, the Government came into possession of territory without a formal cession thereof by the natives. On August 3, 1795, at the conclusion of a great council held at Greenville, Ohio, the Miami, Pottawatomi and associated tribes ceded to the United States certain tracts of land in Ohio and Indiana for military posts, and the right of way for roads through the Indian country. This was really the first cession of lands by the Indians after the adoption of the Federal Constitution. Not long after this council, the Delaware chiefs agreed to relinquish a portion of the country claimed by that tribe. Other treaties followed in rapid succession, each extending the white man's dominion farther to the westward. In the fall of 1808 the first treaty affecting the ownership of lands in Arkansas was concluded. Following is a history of the various treaties (in chronological order) by which the Indian title to Arkansas lands was extinguished.

TREATY OF FORT CLARK

The history of the first treaty with the Osage Indians will be better understood by reading the following extracts from a letter written by Meriwether Lewis, governor of Louisiana Territory, to President Jefferson under date of December 15, 1808:

"In consequence of the measures which were taken last spring in relation to the Osage nations, they were reduced, in the course of a few months, to a state of perfect submission, without bloodshed; this has, in my opinion, fairly proven the superiority which the policy of withholding merchandise from the Indians has over the chastisement of the sword, when their local situation is such as will enable us to practice it. In this state of humiliation, General Clark found them in September last, when he established the post at Fire Prairie; he very properly seized this favorable moment to enter into a treaty with them, which he effected on the 14th September; the treaty you will find herewith enclosed, marked No. 1. The principal chief of the Great Osages, and the principal chief of the Little Osages, signed this treaty, though the body of the nation were not present.

"General Clark returned to St. Louis on the 22nd of September, and brought

with him two of the inferior chiefs who had signed the treaty. * * * On the 25th I was informed by Mr. Chouteau, that the Indians complained they had been deceived with respect to the stipulations of the treaty, and that they intended to convey to us, by that instrument, no more than the privilege of hunting in that tract of country relinquished by the treaty. On receiving this information, I had a conversation with General Clark on the subject; he assured me that special care had been taken to explain every part of the treaty to them, in the most ample manner; that it had been read to them two several days previous to their signing it, and that they had given their assent with cheerfulness. * * *

"I am fully persuaded that the Indians were urged to make those objections by some white person, or persons, in this place (St. Louis), but, as I have not been able to collect any evidence of the fact, I shall avoid the mention of names. * * * I saw that the treaty, thus disavowed, from whatever cause such disavowal had proceeded, was not likely to ensure the advantages contemplated by it, and therefore determined to pursue the measures which I conceived best calculated to obtain the general sanction of the Osage nations, to the relinquishment of a country, the possession of which was so highly desirable to the United States in many points of view. I therefore drew the treaty enclosed, No. 2, and despatched Mr. Peter Chouteau with it to the post at Fire Prairie, with instructions to convene the Great and Little Osage nations and obtain from them as general an assent to it as possible. * * * The treaty, as prepared by me, has been duly executed and confirmed by all the chiefs and principal warriors of the Great and Little Osage nations, except the band of the Arkansas, with whom we are not yet in a state of amity."

In the treaty as prepared by Governor Lewis, he obligated the United States to maintain a garrison at Fort Clark for the protection of all orderly Indians; to establish a store, with a well assorted stock of goods, for the purpose of trading with them for their furs; to furnish them with a blacksmith; to build them a mill; to pay the Great Osage, in merchandise annually, $1,000, and to the Little Osage, $500; to pay in cash $800 to the Great Osage, and $400 to the Little Osage, and to pay settlers for the damages done by the Osage Indians a sum not exceeding $5,000.

In consideration of the above stipulations, the Great and Little Osage nations agreed that the following line should be the boundary between them and the Unted States: "Beginning at Fort Clark, on the Missouri, five miles above Fire Prairie, and running thence a due south course to the River Arkansas, and down the same to the Mississippi; hereby ceding and relinquishing, forever, to the United States, all the lands which lie east of the said line and north of the southwardly bank of the said River Arkansas, and all lands situated northwardly of the River Missouri. And we do further cede and relinquish to the United States, forever, a tract of two leagues square, to embrace Fort Clark, and to be laid off in such manner as the President of the United States shall think proper."

The line running due south from Fort Clark passed through the present counties of Benton and Washington, a short distance east of Fayetteville, and struck the Arkansas River at the mouth of Frog Bayou, near the southeast corner of Crawford County. Peter (or Pierre) Chouteau succeeded in getting

the assent of all the leading chiefs to the treaty on November 10, 1808. By this treaty all that part of Arkansas north of the Arkansas River and east of the line above mentioned became the domain of the United States.

In August, 1809, the leading chiefs and warriors of the Arkansas band were induced to attend a council at St. Louis. There the treaty was read and explained to them and on the last day of that month they assented to and confirmed its provisions.

FIRST CHEROKEE TREATY

The first Cherokee Indians came into Arkansas before the beginning of the nineteenth century, under the leadership of the chief known as "The Bowl," alias Colonel Bowles. They were fugitives from Tennessee on account of having taken part in the Muscle Shoals massacre. For a time they lived in the swamps along the St. Francis River. Then it was ascertained that the whites began the dispute at Muscle Shoals that culminated in the affray, and the Indians returned to their towns. A few years later those who lived in what were known as the Upper Towns desired to engage in the pursuits of agriculture, while those of the Lower Towns wanted to continue the life of hunters.

In the fall of 1808 an authorized deputation from both the Lower and Upper towns went to the City of Washington to present their petitions to the President. After hearing both sides, Mr. Jefferson replied to them on January 9, 1809. as follows:

"The United States, my children, are the friends of both parties, and, as far as can reasonably be asked, they are willing to satisfy the wishes of both. Those who remain may be assured of our patronage, our aid and good neighborhood; those who wish to remove are permitted to send an exploring party to reconnoitre the country on the waters of the Arkansas and White rivers—and the higher up the better, as they will be longer unapproached by our settlements, which will begin at the mouths of those rivers. The regular districts of the government of St. Louis are already laid off to the St. Francis.

"When this party shall have found a tract of country suiting the emigrants, and not claimed by other Indians, we will arrange with them and you the exchange of that for a just portion of the country they leave, and to a part of which, proportioned to their numbers, they have a right. Every aid towards their removal, and what will be necessary for them there, will then be freely administered to them; and when established in their new settlements, we shall still consider them as our children, give them the benefit of exchanging their peltries for what they will want at our factories, and always hold them firmly by the hand."

Pursuant to this promise of the President, an exploring party was sent to Arkansas and a tract of land selected from that which had been ceded to the United States by the Osage in 1808. In the spring of 1815, William Clark, Auguste Chouteau and Ninian Edwards were appointed commissioners by President Madison to negotiate treaties with certain tribes. Under date of October 18, 1815, these commissioners wrote to William H. Crawford, then Secretary of War, as follows:

"The Cherokees of Arkansas complain bitterly of the intrusion of the white

people, who, they say, destroy their game, settle among them without their consent, and act in such a manner as to produce disorders, discord and confusion. Those Indians wish a certain tract of country to be assigned them, its bounds to be ascertained, and that the most efficient measures may be taken to prevent our own citizens from mixing with them, or otherwise intruding upon their lands."

Nothing was done in the matter until the spring of 1817, when Joseph McMinn, governor of Tennessee, Gen. Andrew Jackson and Gen. David Meriwether were appointed commissioners to negotiate a treaty with the Cherokee Indians, which would be satisfactory to all parties. The council was held at the Cherokee Agency and the treaty was concluded on July 8, 1817. Article V of the treaty provided that "The United States bind themselves, in exchange for the lands ceded in the first and second articles hereof, to give to that part of the Cherokee nation on the Arkansas as much land on said river and White River as they have or may hereafter receive from the Cherokee nation east of the Mississippi, acre for acre, as the just proportion due that part of the nation on the Arkansas, agreeably to their numbers; which is to commence on the north side of the Arkansas River, at the mouth of Point Remove, or Budwell's old place; thence by a straight line, northwardly, to strike Chataunga Mountain, or the hill first above Shields' Ferry on White River; running up and between said rivers for complement, the banks of which rivers to be the lines; and to have the above line, from the point of beginning to the point on White River, run and marked, which shall be done soon after the ratification of this treaty; and all the citizens of the United States, except Mrs. P. Lovely, who is to remain where she lives during life, removed from within the bounds above named. * * * The United States reserving the right of establishing factories, a military post and roads within the boundaries above defined."

Point Remove Creek enters the Arkansas River from the north, a short distance above Morrillton and about seventy miles above Little Rock. Gen. William Rector began the survey at that point soon after the treaty was ratified, but the work was not completed until the early part of the year 1819. The distance from Point Remove to Shields' Ferry on the White River was found to be 71 miles and 55 chains.

The west line of the Cherokee tract was not surveyed until in January and February, 1825. This line began at Table Rock Bluff on the Arkansas, about ten miles above Fort Smith, and ran due north a distance of 1 mile and 70 chains, "thence north 53° east 132 miles and 31 chains, to the White River, opposite the mouth of Little North Fork."

QUAPAW TREATY OF 1818

Upon the invitation of William Clark and Auguste Chouteau, commissioners on the part of the United States, a number of Quapaw chiefs and leading men went to St. Louis in August, 1818, for the purpose of holding a council with the said commissioners. On August 24, 1818, a treaty was concluded, the principal feature of which was the cession to the United States of the following described Quapaw lands: "Beginning at the mouth of the Arkansas River; thence extending up the Arkansas to the Canadian Fork and up the Canadian

Fork to its source; thence south to Big Red River and down the middle of that river to the Big Raft; thence in a direct line so as to strike the Mississippi River thirty leagues, in a straight line, below the mouth of the Arkansas; together with all their claims to land east of the Mississippi and north of the Arkansas River, with the exception and reservation following, that is to say, the tract of country bounded as follows:

"Beginning at a point on the Arkansas River, opposite the present Post of Arkansas, and running thence a due southwest course to the Washita River; thence up that river to the Saline Fork, and up the Saline Fork to a point from whence a due north course would strike the Arkansas River at Little Rock; and thence down the right bank of the Arkansas to the place of beginning; which said tract of land last above designated and reserved shall be surveyed and marked off, at the expense of the United States, as soon as the same can be done with convenience; and shall not be sold or disposed of by the said Quapaw tribe or nation, to any individual whatever, nor to any state or nation, without the approbation of the United States first had and obtained."

For the lands ceded by this treaty the United States agreed to give the Quapaw tribe merchandise to the value of $4,000 immediately, and merchandise to the value of $1,000 annually thereafter. On September 26, 1818, a contract was entered into with Thomas C. Rector to "run and mark the lines of the Quapaw reservation." In making his survey Mr. Rector found that the line from the point on the Arkansas River opposite Arkansas Post, if run "a due southwest course," would not reach the Washita (Ouachita) River, but struck the Saline about thirty miles above its mouth. The west line of the reservation, from Little Rock to the Saline River, was 52 miles, 41 chains and 22 links in length.

SECOND OSAGE TREATY

On September 25, 1818, William Clark, governor of the Missouri Territory and superintendent of Indian affairs, concluded a treaty with the chiefs, head men and warriors of the Great and Little Osage nations, Article I of which was as follows:

"Whereas, the Osage nations have been embarrassed by the frequent demands for property taken from the citizens of the United States, by war parties and other thoughtless men of their several bands (both before and since their war with the Cherokees); and as the exertions of their chiefs have been ineffectual in recovering and delivering such property, conformably with the condition of the ninth article of a treaty entered into with the United States at Fort Clark, the 10th day of November, 1808; and as the deductions from their annuities, in conformity to the said article, would deprive them of any for several years; and being destitute of funds to do that justice to the citizens of the United States which is calculated to promote a friendly intercourse, they have agreed, and do hereby agree, to cede to the United States, and forever quit claim to the tract of country included within the following bounds, to wit: Beginning at the Arkansas River, where the present Osage boundary line strikes the river at Frog Bayou; thence up the Arkansas and Verdigris to the Falls of the Verdigris River; thence eastwardly to the Osage boundary line,

at a point twenty leagues north from the Arkansas River, and with that line to the place of beginning."

The line running eastwardly from the Falls of the Verdigris struck the Osage boundary line not far from the present Town of Springdale, in the northern part of Washington County. That part of the cession lying within the present State of Arkansas included the greater part of Washington and Crawford counties. In return for the lands ceded by this treaty, the United States agreed to pay citizens the value of property destroyed by the Osage since the year 1814, provided the sum did not exceed $4,000.

CHOCTAW TREATY OF 1820

This treaty was concluded on October 18, 1820, by Gen. Andrew Jackson and Gen. Thomas Hinds, commissioners on the part of the United States, and the chiefs, head men and warriors of the Choctaw nation. It was negotiated near a place called "Doak's Stand," the residence of Rev. Samuel Doak, on the Natchez road. In the preamble to the treaty it was stated that the President's object was "to promote the civilization of the Choctaw Indians, by the establishment of schools amongst them, and to perpetuate them as a nation, by exchanging for a small part of their land here a country beyond the Mississippi River, where all who live by hunting and will not work may be collected and settled together."

Article I defined the boundaries of the cession, which included about one-fifth of the state. Article II was as follows: "For and in consideration of the foregoing cession on the part of the Choctaw nation, and in part satisfaction for the same, the commissioners of the United States, in behalf of said states, do hereby cede to the said nation a tract of country west of the Mississippi River, situate between the Arkansas and Red rivers and bounded as follows: Beginning on the Arkansas River, where the lower boundary line of the Cherokee strikes the same; thence up the Arkansas to the Canadian Fork, and up the same to its source; thence due south to the Red River; thence down the Red River three miles below the mouth of Little River, which empties itself into Red River on the north side; thence in a direct line to the place of beginning."

The cession to the Choctaw nation included a large tract in Southwestern Arkansas, the southern half of Oklahoma, about half of the Texas "panhandle," and extended westward into New Mexico. That portion in Arkansas embraced the present counties of Howard, Little River, Logan, Montgomery, Scott, Sebastian, Sevier and Yell; that part of Franklin south of the Arkansas River; the western half of Garland, Hempstead and Perry; nearly all of Pike and the western ends of Clark, Hot Spring and Saline.

When news of this treaty reached Arkansas it caused general indignation. The Arkansas Gazette of January 6, 1821, said editorially: "We cannot believe that the commissioners on the part of the United States had a correct idea of the vast extent of country they were ceding; a considerable portion of which is very valuable. If they had correctly understood, it is improbable that they could have been so regardless of the interests of the United States as to give the Choctaws a tract of country about three hundred miles in breadth,

commencing within thirty miles of the established seat of government of this territory and running back to the Rocky Mountains.

"To show that General Jackson and General Hinds were entirely ignorant of the country they were ceding to the Choctaws, it will only be necessary to refer our readers to the treaty now pending between the United States and Spain; by which the former give up all right to the country between the Red River and the Arkansas, lying west of the twenty-third degree of longitude from Washington City.

"If the Choctaws had only acquired the territory west of a line running from the mouth of the Canadian to the Red River (which is four or five hundred miles west of the line proposed in the treaty), they would then have made an advantageous exchange—and the exchange might have been tolerated. They would have acquired a country abounding in game of every description—in fact, everything an Indian could desire. The cession then would not have interfered with our settlements. But in the present case it will include more than three thousand (some say six or seven thousand) of our inhabitants with their improvements, etc., many of whom will lose their all by being driven off.

"There is one thing, however, which is certain. If this treaty is ratified, nearly, if not all, the families which fall within the limits of the cession in this territory, will remove to the Spanish Province of Texas and seek that protection under a foreign monarch, which is denied to them in their native country. This, we have the best authority for saying, will undoubtedly be the case.

"Since we first saw the treaty we have hardly entertained a doubt that it would be rejected by the Senate, although the high standing of the commissioners will no doubt have considerable weight with that body. And we confidently hope that, on a proper representation of facts to the executive department, by our delegate in Congress, our territory will not be made the receptacle for savages and murderers to gratify the ambitious designs of intrigue and speculation."

Notwithstanding the vigorous protests of the Gazette and the people of Arkansas, the treaty was ratified on December 23, 1820. In 1821 the war department employed Henry B. Downs to survey the eastern line of the cession to the Choctaw nation—from Point Remove to the Red River. He found a large number of white settlers west of the line and recommended that the boundary be removed farther westward, to what was known as "the Kiamichi-Poteau line." His recommendation was ignored, both by the secretary of war and Congress, probably because none of the Indians had moved upon the lands and the danger of a conflict between them and the settlers was not appreciated. The difficulty was finally adjusted by a new treaty, mentioned later in this chapter.

QUAPAW TREATY OF 1824

On May 26, 1824, President Monroe approved an act of Congress appropriating $7,000 for the purpose of defraying the expenses of the extinguishment of the Quapaw title to the lands reserved to that tribe by the treaty of August 24, 1818. Robert Crittenden was appointed commissioner to negotiate the treaty. Under date of June 26, 1824, John C. Calhoun, secretary of war, notified Mr. Crittenden of his appointment, and in his letter said:

"It is desirable that this treaty be held as early as practicable. The disposition to be made of the Quapaws will engage your attention. That which is most desirable is to incorporate them (if this can be done in the spirit of mutual friendship and good feeling) with the Caddoes; if this cannot be effected, with some other tribe, but if such a union cannot be accomplished, then you will make the best disposition of them which may be practicable."

After considerable trouble and delay, Mr. Crittenden succeeded in getting the Indians to assemble at the house of Bartley Harrington, where on November 15, 1824, a treaty was concluded. In Article I the Indians agreed to cede to the United States the reservation established by the treaty of August 24, 1818. For this cession the United States agreed to pay to each of the four head chiefs of the Quapaw nation the sum of $500, to reimburse them for the losses they would sustain in removing from their farms and improvements; to give the tribe merchandise valued at $4,000, and to pay an annuity of $1,000 in specie for a term of eleven years. It was also stipulated in the treaty that the Quapaw should remove to the country inhabited by the Caddo Indians, the removal from Arkansas to commence by January 20, 1826.

Owing to the uncertainty of the mails, Mr. Crittenden sent the treaty to Washington by Thomas W. Newton, who had served as secretary at the council. On November 24, 1824, Mr. Crittenden wrote to Mr. Calhoun, advising him of this fact. In the letter he said: "I regret the impracticability of a compliance with a part of your letter of instructions, as to a designation of the number of Indians rationed each day. The number upon the treaty ground fluctuated, hourly, from fifty to one hundred and fifty.

"An Indian will eat two United States rations each day for ten days; and if I had limited them to one, I have no hesitation in saying they would have deserted the treaty ground. They were very much averse to a cession of their entire claim, and I was constrained to resort to every honorable means to gain upon their feelings and obtain their confidence. You will perceive by my accounts that, to effect this object, I was not only compelled to give them as much as they would eat, but that I presented them with one blanket each, and the chiefs each a uniform coat. I flatter myself, however, that if I have exceeded your estimate of the probable expenses of holding this treaty, it will, in your estimation, be more than counterbalanced by the reduced price for which I have obtained their land."

The lands assigned to the Quapaw Indians in the Caddo country were in an unhealthy location. Many of the tribe sickened and died, among whom was the chief, Heckaton. Their crops were destroyed by floods and they became so discouraged that a large number returned to their old homes on the Arkansas River. They found their lands there in the hands of white settlers, and they were wanderers upon the face of the earth. On May 13, 1833, the United States, by a new treaty, gave them a reservation in the Indian Territory.

OSAGE TREATY OF 1825

This treaty was concluded at St. Louis on June 2, 1825, between William Clark, superintendent of Indian affairs, and the chiefs and head men of the Great and Little Osage nations. In consideration of the payment by the United

States of certain claims against the Osage nations, amounting in all to $10,105.80, the tribes relinquished all claim to the lands lying within the State of Missouri and Territory of Arkansas, "and to all lands lying west of the said state and territory, north and west of the Red River, south of the Kansas River, and east of a line to be drawn from the sources of the Kansas southwardly, through the Rock Saline," etc.

That part of the cession lying within the limits of Arkansas was the tract west of the line running due south from Fort Clark, as fixed by the treaty of 1808, and north of the line running eastwardly from the Falls of the Verdigris, provided for in the treaty of September 25, 1818. It included a little of the northern part of Washington County and approximately the western three-fourths of Benton County. This treaty extinguished the last vestige of the Osage title to lands in Arkansas.

SECOND CHOCTAW TREATY

Of all the Indian treaties relating to the lands in Arkansas, none was of more importance historically than the second treaty with the Choctaw nation. It involved not only the title to a large tract of country in the southwestern part of the state, but also the western boundary of the state itself. As created by the act of March 2, 1819, the Territory of Arkansas included practically all the present states of Arkansas and Oklahoma.

Mention has already been made of the opposition in Arkansas to the Choctaw treaty of October 18, 1820. It was frequently and openly stated that General Jackson and General Hinds, who negotiated that treaty, were ignorant of the true situation regarding the settlements west of the Mississippi. In June, 1819, General Jackson, commanding the Southern Division, ordered Maj. William Bradford, commandant at Fort Smith, "to remove all the settlers who may be found west of a line drawn from the sources of the Kiamsha (Kiamichi) to the Poteau River, and compel all such settlers to return to the east side of the said line."

The treaty of October 18, 1820, defined the eastern boundary of the cession to the Choctaw nation as a line from the mouth of Point Remove Creek to the Red River, three miles below the mouth of Little River. Just why General Jackson should have ordered the removal of settlers west of the Kiamichi-Poteau line, instead of the line from Point Remove to the Red River, is difficult to understand. His action seems to sustain the charges that he was ignorant of the real facts with regard to the western settlements. Concerning the enforcement of the order, Major Bradford subsequently said:

"Upon the receipt of the order, I set out with some half a dozen soldiers on horseback and proceeded to the tract of country on which the intruders had settled. I found about two hundred families, in the whole, on the west side of the line designated. Some of them had crops growing, others, none. I read the order which I had received to the heads of the different families, requiring those who had no crops growing to obey it immediately; and to those who had, time was allowed till October. The order was immediately obeyed. Some of those to whom I had given leave to remain till their crops were gathered were driven in before that time by Captain Combs, commanding at Natchitoches, who

had received a similar order and executed it in the district of country next to the Red River, in some instances burning the houses and destroying the crops. Afterwards, Mr. Downs and Mr. Woodward, being authorized by Government to run certain lines in Arkansas, fixed upon a line from the mouth of the Canadian Fork, southwardly to the head of Jack's Fork of the Kiamsha, and down it to the mouth. This line was further west than the one designated in the order which I had received and executed; and, immediately after, many of those who had removed under the order of myself and Captain Combs re-occupied the ground from which they had been removed."

In the spring of 1823 John C. Calhoun, secretary of war, appointed Gen. Thomas Hinds, of Mississippi, and William Woodward, of Arkansas, commissioners to negotiate a new treaty with the Choctaw chiefs, which would settle the controversy. Through failure of the mails, General Hinds did not receive his letter of instructions, and consequently nothing was done.

Early in November, 1824, Mr. Calhoun summoned a number of the Choctaw chiefs and head men to Washington. More than two months were spent in making proposals and counter-proposals. On January 20, 1825, a treaty was concluded, in which the Choctaw delegates ceded to the United States "all that portion of the land ceded to them by the second article of the treaty of Doak's Stand, lying east of a line beginning on the Arkansas River, one hundred paces east of Fort Smith, and running thence due south to the Red River; it being understood that this line shall constitute and remain the permanent boundary between the United States and the Choctaws: and the United States agreeing to remove such citizens as may be settled on the west side to the east side of said line, and prevent future settlements from being made on the west thereof."

In consideration of this cession, the United States agreed "to pay the said Choctaw nation the sum of $6,000 annually, forever, it being agreed that the said sum of $6,000 shall be annually applied, for the term of twenty years, under the direction of the President of the United States, to the support of schools in said nation, and extending to it the benefits of instruction in the mechanic and ordinary arts of life; when, at the expiration of twenty years, it is agreed that the said annuity may be vested in stocks, or otherwise disposed of, or continued, at the option of the Choctaw nation."

CHEROKEE CESSION OF 1828

Scarcely had the Choctaw question been adjusted, when an agitation began for the removal of the Cherokee Indians from Arkansas. Governor Izard was authorized to open negotiations to this end with the chiefs and head men of the tribe. He soon discovered that all efforts to secure a treaty were likely to be defeated by the selfishness of the whites and half-breeds living upon the Cherokee lands. These persons had induced the Cherokee Council to enact a law to inflict the death penalty upon any one of the tribe who might propose a cession of their lands. Maj. E. W. Duval, the Cherokee agent, also opposed the governor in the endeavor to open negotiations.

Under date of July 6, 1827, Governor Izard wrote to the secretary of war: "In conformity with the general instructions I received from your department

in 1825, I have made several attempts to enter into a negotiation with the Cherokees, for the purpose of inducing them to cede their lands within this territory to the United States. The law which they passed a few years ago denouncing death against any one of their tribe who should propose such a measure, has deterred several of their leaders from opening the subject."

Governor Izard inclosed a letter from one of the most influential Cherokee leaders showing that "the difficulties in effecting the removal are not insurmountable." Commenting upon this letter, the governor said: "I suppress the names, which accident might make known, and which in the present stage of the business it is unnecessary to communicate. There is no doubt that the feeling manifested by the writer is common to the rest of the chiefs, whose object it will be to secure as much as possible of the pecuniary advantages which may result from the negotiation to themselves individually. * * * Permission to send a deputation to Washington is probably the main point the writer of the letter has in view. * * * I shall not inform the agent to the Cherokees, unless especially instructed to do so, of what is now on the carpet. There are sufficient reasons to believe that the execution of the measures which I have suggested would be strenuously, though privately, opposed in that quarter."

This letter marked the turn in the negotiations which resulted in a deputation of Cherokee chiefs and warriors going to Washington, where on May 6, 1828, a treaty was concluded. By this treaty the Cherokee nation ceded to the United States all claim to the lands situate between the Arkansas and White rivers secured to them by the treaty of July 8, 1817. The lands thus ceded now comprise the counties of Johnson, Newton, Pope, Searcy and Stone, that part of Franklin north of the Arkansas River, nearly all of Marion and Van Buren, the greater part of Conway, and portions of Boone, Cleburne, Crawford and Madison.

In exchange for their lands in Arkansas the Cherokee received 7,000,000 acres in the Indian Territory. The treaty also defined the western boundary of Arkansas Territory as follows: "A line shall be run commencing on the Red River, at a point where the Choctaw line strikes said river, and run due north with said line to the River Arkansas, thence in a direct line to the southwest corner of Missouri."

On January 7, 1829, Robert Crittenden, secretary and acting governor of Arkansas Territory, issued his proclamation setting forth that the survey of the line, from the Arkansas River at Fort Smith to the southwest corner of Missouri, had been completed on November 19, 1828, and commanding the citizens of the United States, and all other persons not forming a part of the Cherokee tribe of Indians, residing west of said line, to remove to the east side thereof within ninety days.

THE CADDO TREATY

On July 1, 1835, at the Caddo agency in Louisiana, the associated Caddo tribes entered into a treaty to cede to the United States all their lands in Arkansas and Louisiana bounded on the west "by the line which separates the United States from Mexico, between the Sabine and Red rivers, where the same

shall be determined and accepted by the two governments,'' and on the north and east by the Red River.

That part of the cession within the limits of Arkansas is now Miller County. White settlements were planted here before the Territory of Arkansas was organized. Miller County was erected in 1820, fifteen years before the negotiation of the treaty, but the Caddo claim had not been extinguished. This treaty with the Caddoan tribes was the last affecting Indian claims to lands in Arkansas. During the four score and six years since it was concluded a different Arkansas has come upon the map of the nation. Railways have taken the places of Indian trails; the college has supplanted the council wigwam of the savage; instead of the war-whoop is heard the whistle of the factory; forests have been felled by the ax of civilization and fertile fields yield their products to the toil of the husbandman. To tell the story of this development is the province of the subsequent chapters of this history.

CHAPTER IV

EXPLORERS AND EXPLORATIONS

HERNANDO DE SOTO—HIS EXPEDITION—SOURCES OF INFORMATION—CROSSING THE MISSISSIPPI—ARKANSAS LANDMARKS—HOW HISTORIANS DISAGREE—FROM CHISCA TO GUACHOYA—IN WINTER QUARTERS—THE MARCH OF 1542—DEATH OF DE SOTO—END OF THE EXPEDITION—MARQUETTE AND JOLIET—LA SALLE'S EXPEDITIONS—VISITS THE ARKANSAS VILLAGES—LOUISIANA—LA SALLE'S DEATH—TONTI'S POST—MALLET BROTHERS.

Christopher Columbus first sighted the shores of Cat Island, one of the Bahama group, on October 12, 1492. Later in the day he landed upon the island and claimed the country in the name of Spain. Nearly fifty years elapsed after that event before the first white men set foot upon the soil of what is now the State of Arkansas. That distinction also belongs to Spain, through an expedition led by Hernando de Soto.

According to the most reliable accounts, De Soto was born in the Spanish town of Xeres, in the year 1500. Both his parents were related to families of the highest rank among the Spanish nobility. Through the assistance of a Spanish nobleman, he was educated in one of the universities of his native land, after which he was appointed governor of Darien and came to America. He was with Pizarro in the conquest of Peru, where by his valor he won the favor of Spanish royalty. In 1538 he was commissioned by Charles V governor of Cuba and Florida. Soon after receiving his commission, he sailed from St. Lucar, with several vessels and a considerable military force, to assume the duties of his office. On May 12, 1539, he left Cuba and on the last day of that month landed in Florida, about where the City of Tampa now stands. His force consisted of about one thousand men, 213 of whom were mounted.

His commission required him to explore Florida, as the whole country was then called. After a few weeks of preparation his expedition started for the interior. During the remainder of 1539 and the year 1540, he traveled over one thousand miles through the present states of Florida, Alabama, Georgia and Mississippi. Like nearly all the early Spanish explorers, De Soto's chief object was to discover mines of gold or silver, hence little attention was given to keeping a journal or record of the expedition. The route of De Soto in his wanderings east of the Mississippi has been traced with tolerable accuracy, but his course west of the great river has been the subject of much speculation. Even the point where he crossed the Mississippi has never been satisfactorily determined.

The principal sources of information—in fact, it might be said, the only sources—concerning De Soto's travels and discoveries are: 1. The report of Luis Hernandez de Biedma, who was a sort of sutler or commissary with the

expedition and the trusted friend of the commander. 2. The narrative of a Portuguese adventurer in De Soto's company, who signs himself "A Gentleman of Elvas." 3. The story of Garcilasso Inca de la Vega. 4. The writings of Antonio de Herrera, the Spanish historian.

Biedma's report, kept in the form of a brief diary, was presented to the King and Council of the Indies in 1544. The narrative of the "Gentleman of Elvas" was published in Aveiro in 1557. He gives many more details than Biedma, but his narrative shows evidence that the writer was at times inclined to indulge in romance. Garcilasso Inca de la Vega was born at Cuzco, Peru, about 1540. His father was a member of an illustrious Spanish family and in his mother's veins coursed the royal blood of Peru. His "History of Peru" is the leading original authority on that country. In his "History of Florida" occurs the account of the De Soto expedition.

Some modern writers question the accuracy of La Vega's narrative, because the story was related to him years afterward by a Spanish soldier who took part in the expedition. Nevertheless, it is regarded as one of the important sources of information. It agrees in many particulars with the statements of Biedma and the Gentleman of Elvas, and contains mention of numerous incidents which they apparently overlooked.

CROSSING THE MISSISSIPPI

At what point did De Soto cross the Mississippi? Upon the answer to this question depends in large measure the course of his route through Arkansas. Those who have written upon the subject, and who all gained their information from the sources above referred to, seem to be unable to agree upon the crossing place. Monette, in his "History of the Mississippi Valley," says it "was probably within thirty miles of Helena." French, in his "Historical Collections of Louisiana," after consulting an old French map, fixes the crossing "at what would be equal to 34° 10′ north latitude." If this be the case, De Soto landed in Arkansas near the southern end of Phillips County, about thirty miles south of Helena. Martin's "History of Louisiana" says he crossed the river "a little below the lowest Chickasaw Bluff." Other writers could be quoted, but the above examples are given to show how different conclusions can be drawn from the same premises. It appears to be a case of "One man's guess is as good as another's."

There seems to be little doubt that De Soto passed the winter of 1540-41 in what is now Panola County, Mississippi, near a river which has been recognized as the Tallahatchee. On April 25, 1541, he broke up his winter quarters and resumed his march, going in a northwesterly direction. After passing through a wild country, containing many swamps, for eight days, the expedition came to an Indian village called Chisca, "which was seated on the margin of the largest river they had seen since they landed in Florida." To this river the Spaniards gave the name of "Rio Grande, or Rio Espiritu Santo, called by the Indians Mes-cha-ce-be" (Father of Waters).

From the Tallahatchee River in Panola County, Mississippi, to the Mississippi at Memphis, Tennessee, is about fifty miles. The general direction is a little north of northwest. De Soto's eight days' march, upon breaking up

TOMB OF ROUGH STONE AT VAN BUREN WHICH TRADITION SAYS MARKS GRAVE OF ONE OF DE SOTO'S MEN

his winter camp, would therefore have brought him to the Mississippi River in the vicinity of Memphis. Judge Ramsay's "Annals of Tennessee" says: "It is generally conjectured that Chisca, the village near which De Soto was encamped, and which bore the name of the chieftain through whose province the Spaniards were passing, occupied the site of the present thriving City of Memphis, and that the point where they crossed the Mississippi was near the Chickasaw Bluff."

One of the chroniclers of the expedition tells us that the dwelling of the cacique (chief) of Chisca stood on a high artificial mound, and that it also served as a fortress. In the southern part of the City of Memphis is a large artificial mound, which fact adds strength to the theory that the crossing place was at or near the Chickasaw Bluffs.

Thwaites' "Early Western Travels" (vol. xiii, p. 320) says: "The plain, on which we find them (the Spaniards) encamped, previous to their proceeding across the Mississippi (which did not at that time bear this name), and to which they had been conducted by their native guides, could have been no other than one of the Chickasaw Bluffs, or ancient crossing places, and apparently the lowest."

A map drawn by Guillaume De l'Isle, to accompany the journal of Bernard de la Harpe's travels through Louisiana, shows the village of Chisca about where Memphis is now situated. True, this map was not made until about the beginning of the Eighteenth Century, more than one hundred and fifty years after De Soto discovered the Mississippi. But it should be borne in mind that the highlands in that locality were a favorite resort for the Chickasaw Indians for generations before the first white settlements were made in Tennessee. They are known in history as the "Chickasaw Bluffs," and it is not unlikely that the village of Chisca was still in existence in La Harpe's day.

These data appear to establish, beyond a reasonable doubt, that De Soto crossed the Mississippi at or near the lowest Chickasaw Bluff and landed on the west side of the river in what is now Crittenden County, Arkansas.

Likewise, the exact date when De Soto crossed the great river is a matter of uncertainty. Neither Biedma, La Vega nor the Gentleman of Elvas gives it. Some authorities state positively that it was on June 18, 1541, and at least one writer gives the day as Saturday. The Gentleman of Elvas says De Soto entered the village of Pacaha on Wednesday, June 19, 1541, and he had then been for some time on the west side of the river. If the winter camp on the Tallahatchee River was broken up on April 25, 1541, eight days' march would have brought him to the village of Chisca early in May. How long he remained in that village is not known. The Gentleman of Elvas says:

"And because in the town where the Governor lodged, there was a small store of maize, he removed to another half a league from the Rio Grande, where they found plenty of maize. And he went to see the river, and found that near unto it was a great store of timber to make barges, and good situation of ground to encamp in. Presently he removed himself thither. They made houses and pitched their camp in a plain field a cross-bow shot from the river."

Biedma gives the following account of the crossing: "We left the village to encamp on the banks of the river. Here we found the Indians had gathered to dispute our passage. They had with them a great number of canoes. We

remained here twenty-eight or nine days and built four large pirogues, capable of containing seventy or eighty men each, and five or six horses. In the meantime every day at three o'clock in the afternoon, the Indians got into two hundred and fifty canoes, dressed with flags, and approached our side of the river to shoot their arrows at us, but as soon as we had finished our pirogues they made a precipitate retreat. The river here was about a league wide and from nineteen to twenty fathoms deep."

Not more than sixty days would have been required to build the houses in the "plain field" and construct the pirogues, so that it is almost certain that De Soto crossed the river some time in the latter part of May.

ARKANSAS LANDMARKS

Biedma, the Gentleman of Elvas and Garcilasso de la Vega all refer to certain Indian villages and provinces visited by De Soto after crossing the Mississippi. Occasionally some natural feature, such as a hill, swamp, river or lake is mentioned. These are the only landmarks by which the route of the expedition west of the Mississippi can be traced. Of the Indian villages and provinces, the most important were: Aminoya, Anilco, Aquixo, Autiamque, Caligua, Caluca, Casqui, Cayas, Guachoya, Naudacho, Pacaha, Palisema, Quigaute, Quipana, Quixila, Tanico, Tatalicoya and Tula.

The names of a few of these villages or provinces are spelled in different ways, for example: Casqui is written Yeasqui and Guachoya is written Guachoyanque by Biedma. The Gentleman of Elvas refers to Anilco as Nilco, Caligua as Coligoa, and Quigaute as Quigalta. Pacaha is referred to by some authorities as Capaha, Kappa or Cappa. Autiamque is sometimes written Autianque or Utiamque. These landmarks have long since disappeared. Their location can only be approximated by a study of the directions and distances traveled by the expedition, and by consulting the meager descriptions of natural features. Even the distances given are not always a safe guide.

HOW HISTORIANS DISAGREE

In endeavoring to determine the route of the De Soto expedition through Arkansas, the writer has carefully studied the translations of the narratives of Biedma and the Gentleman of Elvas, as given in French's "Historical Collections of Louisiana," Halliburton's "History of Arkansas County, Arkansas," Miss Ada Mixon's article in Volume IV of the "Publications of the Arkansas Historical Association," Hempstead's "History of Arkansas," De l'Isle's map of "La Harpe's Journeys," Thwaites' "Early Western Travels," the Narrative of Garcilasso Inca de la Vega, and several other authorities. In their efforts to locate the Indian villages, these writers arrive at widely different conclusions.

French, in his footnotes to his translations, is somewhat conservative and ventures upon the location of only a few places visited by De Soto in what is now the State of Arkansas. He says the village of Aminoya was situated in the neighborhood of the present City of Helena. Halliburton locates it at Old Town Landing, about fifteen miles below Helena. Miss Mixon places it in

Désha or Chicot County. Hempstead thinks it was on the Red River, a few miles above the mouth, and De l'Isle shows it on the south side of the Arkansas River, near the present village of Medina, in the northeast corner of Desha County.

French makes no attempt to locate Anilco. Halliburton says: "This village was situated in a champaign, that is, open, wooded country, on the bank of a river and contained about four hundred spacious houses, built around a square. The residence of the cacique, as usual, was located on a high artificial mound. The writer maintains that this village was situated on or near the north bank of the Arkansas River and included what is now known as Menard Mound, located in the southeast corner of Arkansas County." Miss Mixon describes it as a province, occupying "the territory between the Saline River and Bayou Bartholomew." It is not shown on De l'Isle's map, and Hempstead places it on the Red River, a short distance below the mouth of the Ouachita.

Aquixo, the first town visited by De Soto west of the river, is located by Halliburton "at what is now known as Mound City, in Crittenden County, Arkansas." Hempstead and Miss Mixon agree that it was at or a little below the present City of Helena. The other authorities are silent upon the subject.

Autiamque is shown on De l'Isle's map on the west side of the Red River, near the southwest corner of Arkansas. Halliburton merely says it was on a river "supposed to be the Arkansas." Miss Mixon says: "Autianque was probably near the present site of Saginaw, in Hot Spring County, south of Malvern on the Ouachita River. Hempstead locates it on the Ouachita River, a short distance above the mouth of the Saline.

With regard to Caligua there is a vast disagreement. French places it on the St. Francis or White River, but does not undertake to say at what point. Halliburton does not mention it. Miss Mixon and De l'Isle locate it in the western part of the present Saline County. Monette says it was on the Big Bayou Meto, about fifty miles southeast of Little Rock, and Hempstead thinks it was in Franklin or Washington County.

Casqui is shown on De l'Isle's map on the west side of the St. Francis River, about the northeast corner of Cross County. Halliburton locates it a little farther south, about where Wittsburg, Cross County is now situated. Miss Mixon says it was about on the site of Pine City, in the southern part of Monroe County. Hempstead thinks it was on the St. Francis River, near the boundary line between Cross and Poinsett counties. Monette places it on the White River, one hundred miles from the mouth. This would be not far from the present City of Augusta, the county seat of Woodruff County.

Guachoya is located by Halliburton where the City of Helena now stands. French merely says it was a short distance from the Mississippi—a rather vague description. Monette says it was near the thirty-fourth parallel of north latitude. Miss Mixon thinks it was in Tensas Parish, Louisiana. De l'Isle shows it near the mouth of the Red River, a location with which Hempstead agrees.

Pacaha (Capaha, Kappa or Cappa) was one of the most important places visited by De Soto after crossing the Mississippi. According to the Gentleman of Elvas, he remained in this province for forty days. It is shown on De l'Isle's map about half way between the St. Francis and Arkansas rivers. The White

River is not delineated on this map, but the location of "Kappa" is about where the present City of Devalls Bluff is now situated. Miss Mixon says it was near the mouth of the St. Francis. Hempstead thinks it was where the City of Helena now stands, and Monette places it on the Mississippi a few miles south of Helena. Halliburton says De Soto traveled north or northeast from Casqui to reach Pacaha, which would bring it near the southeast corner of Poinsett County.

French supposes the village of Quiguate to have been somewhere near Little Rock. Miss Mixon says it was where Pine Bluff now stands. Halliburton merely says De Soto went down the river (St. Francis) to reach Quiguate. Hempstead places it on the White River, in what is now Prairie County.

Similar differences of opinion occur regarding almost every village or province mentioned in the accounts of the expedition. Enough has been said, however, to show how writers become confused in their attempts to determine the route followed by De Soto through Arkansas. The farther one gets into the maze, the greater becomes his perplexity.

FROM CHISCA TO GUACHOYA

No doubt much of the contradiction, regarding the location of places west of the Mississippi, arises from the misunderstanding as to De Soto's crossing place. Those who have critically analyzed the narratives of Biedma, the Gentleman of Elvas and La Vega are practically unanimous in the opinion that Chisca occupied the site of the present City of Memphis. Biedma says the river was a league in width, and the Gentleman of Elvas tells us the current was swift. As the four pirogues were propelled and steered only by rude oars, "they fell down with the stream and landed right over against the camp." The landing on the west side was therefore a mile or more below the starting point. Having landed, De Soto marched up the river to the Town of Aquixo. La Vega says he went up the river for three miles, and the Gentleman of Elvas says one and half leagues.

The distance marched up the river should have more than counterbalanced the drifting of the pirogues. Hence, Aquixo must have been a little above the point on the east side of the river from which they started. The town was on the bank of the river and De Soto sent a detachment to bring up the boats. La Vega says they found this difficult to do, because of the entrance of creeks, which led De Soto to order the boats broken up, but the iron was saved for future contingencies. According to the Gentleman of Elvas: "He lay there (at Aquixo) one night and the day following he set forward to seek a province called Pacaha, which he was informed to be near Chisca, where the Indians told him there was gold."

La Vega says he "proceeded up the river in quest of the province of Pacaha." While passing through the Town of Aquixo, "he was informed, by some of the natives whom they had taken, that three days' journey farther up the river there dwelt a great cacique named Casqui."

It may be well to state here that all the narratives contain frequent statements of this character. The Indians were quick to learn that the Spaniards

were in search of gold. Consequently they adopted the policy of giving information—often intentionally misleading—of some rich province just ahead, where gold might be found, or where great stores of provisions might be obtained. They did not want the white men among them and by this method passed them on to one of the neighboring tribes.

When De Soto heard such favorable reports of Casqui, he resolved to visit that province before going to Pacaha. Crossing a small river on a bridge, and wading through swamps all of one day, they at length reached high land. At noon the next day they arrived at the first village of Casqui. Says Thwaites: "They found this country to be higher, drier and more champaign than any part which they had yet seen contiguous to the river; from which we are fully satisfied, that the country described, can be no other than the Little Prairie and that chain of high lands which continues to New Madrid."

The expedition traveled for two days through the country of Casqui before coming to the capital, or the town in which the cacique had his residence. None of the accounts gives the direction of this two days' march. The cacique's village was situated upon a river, which most commentators think was the St. Francis. Upon the arrival of the expedition at the village, the chief acknowledged De Soto as "the son of the Sun and a great lord, and begged him to restore sight to two blind men who were present. La Vega says: "The governor, however, excused himself and referred him to the Supreme Being and author of health, and, on the occasion, had a cross set up for them to worship, in remembrance of Jesus Christ, who died thereon."

A study of the course subsequently followed by De Soto bears out the hypothesis that the place where the cross was erected was on the St. Francis River, near the northeast corner of Arkansas. After setting up the cross, the expedition returned to camp and the next morning renewed the journey toward Pacaha. Biedma says that at the end of the second day's march they "reached a village in the midst of a plain surrounded by walls and a ditch filled with water. * * * We approached it cautiously and when we got near it we saw the inhabitants going off."

This village was Pacaha, whose inhabitants were at war with the Casquins, which accounts for their evacuation of their town upon the approach of De Soto. The Gentleman of Elvas says that "in the town was great store of old maize, and great quantity of new in the fields." The bountiful supply of maize may have been the principal reason for De Soto's stay of forty days in the province. During that time he used his good offices to bring about a peace between the caciques of Pacaha and Casquin. The direction he marched from Casqui to Pacaha is not told, but it must have been southward. Biedma says that when they left Pacaha they "marched to the northeast," and the Gentleman of Elvas says they "returned through the country of Casqui." Then, after what seems to have been an aimless wandering through a wild country called Caluca, which was "an uninhabited desert," the expedition moved in a southwest direction to Quigaute, which was the largest town they had yet seen in Florida. Thwaites estimates the distance from Pacaha to Quigaute as two hundred miles. Biedma says it was "on one of the branches of a great river." From the Little Prairie country to the Arkansas River, in a southwesterly direction, is about one hundred and sixty miles in an air line. A march of

two hundred miles would have brought the expedition to the Arkansas somewhere in the vicinity of Pine Bluff.

It was August 4, 1541, when De Soto arrived at Quigaute. He remained there about a week, to procure a stock of provisions. The natives told him of a province called Caligua (or Coligoa), "eleven days off, where they killed buffaloes," and offered to furnish a guide to conduct him thither. The guide led the expedition in a northwesterly direction, through swamps, where the men "feasted every day on fish." Then they crossed a great plain and came to some high mountains. In this mountainous region was Caligua, where De Soto had hoped to find gold, but was disappointed. A march of eleven days up the Arkansas River would have taken them to the northwestern part of the state. At Caligua the Indians told De Soto of a rich province called Cayas, lying toward the south.

The cacique of Caligua provided a guide. J. H. Reynolds, in his "Makers of Arkansas History," says De Soto crossed the Arkansas River near Dardanelle Rock. According to Thwaites, after traveling for nine days through a rough country, passing the villages of Palisema and Tatalicoya, the expedition came to Cayas. This province lay between the Arkansas and Ouachita rivers. La Vega says the first village they came to in Cayas was called Tanico, "situated near to a river." In all probability the river was the stream now known as the Fourche la Fave Creek, and Tanico was near the eastern line of Yell County.

De Soto spent a month in Cayas, "which abounded with maize and pasturage for their horses." There was another reason for the long stay in this province. For some time the Spaniards had been without a sufficient supply of salt. On the salines of the Ouachita River they found an opportunity to provide a store. The Indian method of making salt is thus described by the Gentleman of Elvas: "They make it along the river, which, when it ebbeth, leaveth it upon the upper part of the sand. And because they can not make it without much sand in it, they throw it into certain baskets which they have for that purpose, broad at the mouth and narrow at the bottom, and set it in the air upon a bar, and throw water into it, and set a small vessel under it, wherein it falleth; being strained and set to boil upon a fire, when the water is sodden away, the salt remaineth in the bottom of the pan."

In this province there "was a lake of very hot and somewhat brackish water," which was unquestionably the now famous Hot Springs. The Gentleman of Elvas says the horses drank so much of this warm, brackish water "that it swelled their bellies when they brought them from watering."

IN WINTER QUARTERS

The season was now far advanced and De Soto began looking for a place to spend the winter. While in Cayas he learned of a province called Tulla, about two days' journey toward the south. He proceeded to Tulla, expecting to go into winter quarters there, but found that the natives had fled at his approach. The chief finally came with about eighty of his men and presented the Spaniards with a number of buffalo robes, "which at this advanced season

of the year proved very acceptable." Tulla occupied the territory between the Ouachita and Little Missouri rivers.

Learning of rich towns toward the southwest, especially Autiamque, ten days' journey from Tulla, De Soto continued his march. For five days they proceeded "over very rough mountains," when they came to a town called Quipana. Not finding suitable winter quarters there, he returned eastward to Autiamque, reaching that town in six days. De l'Isle's map shows Quipana near the source of the Trinity River in Texas. It could hardly have been that far west. It must have been west of the Red River, however, as Biedma says Autiamque "was a large village built on the banks of a river, which emptied into the great river (the Red) we had passed."

Autiamque was doubtless situated on the Ouachita River, not far from the southeast corner of Ouachita County. De Soto arrived there early in November and there went into winter quarters. While encamped at Autiamque the expedition suffered a great loss in the death of Juan Ortiz, who had served as guide and interpreter for more than two years. Ortiz had accompanied the expedition of Pamphilo de Narvaez to Florida some years before. He had been taken prisoner by Indians east of the Mississippi River and held captive for twelve years. During that time he acquired a knowledge of several Indian dialects. When rescued by De Soto in the early summer of 1539 he joined the expedition, where his services as interpreter proved almost invaluable. His death had an influence upon all the subsequent affairs of the expedition.

THE MARCH OF 1542

On March 6, 1542, De Soto left Autiamque. His force was now reduced to 300 men of war and forty horses, "some of them lame, which did nothing but help to make up the number; and for want of iron they had gone for a year unshod."

Biedma says: "We descended this river (the Ouachita), passing through populous provinces, until we came at last to a country the Indians called Anicoyanque. A cacique called Guachoyanque (Guachoya) came to see us. The governor set out immediately with the cacique for the village of Guachoyanque. His village was fortified and well surrounded by walls."

In descending the Ouachita River from Autiamque, De Soto's course was southward. At the end of ten days he came to a province called Ayays, which was on the Ouachita in what is now Catahoula Parish, Louisiana. Bad weather detained him for four days in Ayas. Then a march of three days brought him to Anilco. Says La Vega: "The river which ran by Nilco was again recognized as the same which passed by Cayas and Autiamque." Thwaites thinks that "from its contiguity to the Mississippi it appears to have been the Red River." In this case, the village of Anilco would have been situated on the Red River, a few miles below the mouth of the Ouachita, in what is now Avoyelles Parish, Louisiana. Guachoya was probably on the west bank of the Mississippi, a short distance below the mouth of the Red River. This location is sustained by the statement of Biedma, that it was "on the banks of the Great River," and by the further fact De Soto determined to build some brigantines there to send to Cuba to let them know that he was still alive.

DEATH OF DE SOTO

At Guachoya, De Soto sent his captain to ascertain the direction of the sea. In a few days the captain came back and reported that the vast swamps formed by the Great River were impassable. La Vega says: "At this news, as well as the desperate situation of his affairs, the commander fell sick with despondence. * * * Sensible of the approach of death, he called around him the officers of his ruined army, and, in their presence, appointed Luis de Moscoso de Alvarado their succeeding captain-general and governor. The following day, the 21st of May, 1542, Hernando de Soto died."

"Thus died," says Herrera, "at the age of forty-two, Hernando de Soto, one of the bravest of the many leaders who figured in the first discoveries of the Western World. No one was better qualified to rule the hardy spirits under him. He was stern in command, agreeable in his common intercourse, gentle and courteous in his manners, patient, persevering under all difficulties. His body was enclosed in the trunk of a green oak and conveyed to the middle of the Mississippi, where it was sunk in nineteen fathoms of water. Thus the first discoverer of the Mississippi River made his grave in the bosom of its waters."

Moscoso kept De Soto's body concealed for three days. Then at a late hour in the night had it buried "at one of the gates of the town within the wall." The Indians had seen him ill and when they missed him suspected he was dead. The cacique of Guachoya inquired of Moscoso what had become of his brother and lord. Moscoso told him he had gone to heaven, as he had done many times before, but that he would return. The Indians saw that the earth had been disturbed near the gate, which led Moscoso to disinter the body and bury it in the river. The Gentleman of Elvas says nothing of a "green oak coffin," but states that "a great deal of sand was cast into the mantles wherein he was wound up, carried in a canoe and thrown in the midst of the river."

END OF THE EXPEDITION

After the death of De Soto Moscoso called a council of the officers and it was decided to attempt a passage overland to the Spanish settlements in Mexico. After traveling about three hundred miles, they came to a region where they found it difficult to find subsistence and retraced their steps to the Mississippi. As most of their wanderings under Moscoso were outside the State of Arkansas, a minute account of this part of the expedition is not considered essential to this history. Thwaites says they returned "to the confluence of the Red River and the Mississippi, where they commenced building boats for the purpose of descending the Mississippi to the sea. * * * Their boats being finished in the month of June, 1543, they embarked on the 2nd of July and on the 18th they arrived in the gulf with a fair wind. After coasting fifty-two days they at length arrived in the river of Panuco the 10th day of September, 1543."

"The inhabitants of Panuco," says La Vega, "were all touched with pity at beholding this forlorn remnant of the gallant armament of the renowned Hernando de Soto. They were blackened, haggard, shriveled, half-naked, being

clad only with the skins of deer, buffaloes, bears and other animals, looking more like wild beasts than human beings."

MARQUETTE AND JOLIET

The next white men after De Soto to visit what is now the State of Arkansas were Jacques Marquette, a Jesuit missionary, and Louis Joliet, a fur trader and explorer. Father Marquette was a native of Laon, France, and of distinguished family. At an early age he joined the Jesuit order and was sent as a missionary to the Indian tribes about the Great Lakes in America. As early as 1665 he heard from the Indians reports of a great river to the westward, and was filled with a desire to discover it. Not until the spring of 1673, however, did he receive the necessary authority from the Canadian officials. At that time the French were anxious to discover a water route to the Pacific Ocean. Thinking the river, of which the Indians told such wonderful tales, might flow to the Pacific, M. Talon, intendant of Canada, gave Father Marquette permission to fit out an expedition, "at his own expense," to ascertain more about the river.

Marquette began his preparations at Michilimackinac for the voyage. While thus engaged, the intendant sent Joliet to Michilimackinac as the missionary's associate. It is related that the friendly Indians there tried to dissuade the priest, for whom they had a great liking, from undertaking the project. They told him that the tribes living along the river were cruel and bloodthirsty, and that the stream was the abode of terrible monsters that could easily swallow a canoe loaded with men.

These stories had no effect upon Father Marquette, unless it was to make him more determined to discover the river. On May 13, 1673, the little expedition, consisting of two large canoes, with five voyageurs or boatmen and the two explorers, left Michilimackinac. Passing over Lake Michigan and up the Green Bay to the mouth of the Fox River, they ascended that stream to the portage. There they crossed over to the Wisconsin River, down which they floated until June 17, 1673, when their canoes shot out upon the broad bosom of the Mississippi. Turning their canoes down stream, they carefully noted the landmarks as they went along. Early in July they came to a village, the language of whose inhabitants they could not understand. Finally they found an old man who spoke the Illinois dialect. From him Marquette made inquiries as to how far it was to the sea. In his journal of the voyage Father Marquette says:

"They told us that at the next great village, called Arkansea, eight or ten leagues farther down the river, we could learn all about the sea. We embarked early the next morning with our interpreters and ten Indians who went before us in a canoe. Having arrived about half a league from Arkansea, we saw two canoes coming toward us. The captain of one was standing up holding the calumet in his hand, with which he made signs, according to the custom of the country. He afterwards joined us, inviting us to smoke, and singing pleasantly. He then gave us some sagamite and Indian bread to eat, and going before made signs for us to follow him, which we did, but at some distance. They had in the meantime prepared a kind of scaffold to receive us,

adorned with fine mats, upon which we sat down with the old men and warriors. We fortunately found among them a young man who spoke Illinois much better than the interpreter whom we had brought with us from Mitchigamea."

At this village the explorers learned that the sea was within ten days' journey, possibly less. The Indians advised them to go no farther, as by doing so they would expose themselves to tribes who were enemies of the Arkansea. Marquette and Joliet then counseled together as to what course to pursue. The result of their deliberations is thus told in Father Marquette's journal:

"Having satisfied ourselves that the Gulf of Mexico was in latitude 31° 40′, and that we could reach it in three or four days' journey from the Arkansea, and that the Mississippi discharged itself into it, and not to the eastward of the cape of Florida, nor into the California sea, we resolved to return home. We considered that the advantage of our travels would be altogether lost to our nation if we fell into the hands of the Spaniards, from whom we could expect no other treatment than death or slavery. * * * So that having rested another day, we left the village of the Arkansea on the 17th of July, 1673, having followed the Mississippi from the latitude of 42° to 34° and preached the Gospel to the utmost of my power to the nations we visited."

On their return up the river they found a shorter route by ascending the Illinois River and making the portage to Chicago River, descending that stream to Lake Michigan. Joliet was a good topographer and prepared a map of the region through which he and Marquette passed. On his way back to Quebec, his canoe was capsized at the La Chine rapids of the St. Lawrence River, thus causing the loss of his map and notes of the voyage. His verbal report to the Canadian authorities, and later Father Marquette's journal, convinced them that the Mississippi River was not a myth, and it was not long until steps were taken to claim the territory drained by it for France.

Father Marquette continued his missionary labors for about two years after his voyage to the Arkansea. He died on May 18, 1675, near the present City of Ludington, Michigan, and was buried by his associates there in the wilderness. Subsequently his remains were removed to St. Ignace and a monument was erected to his memory.

LA SALLE'S EXPEDITIONS

Robert Cavelier, Sieur de la Salle, was a native of Rouen, France. He was educated in a Jesuit seminary in his native city and has been described as "a man of bold talents and dauntless enterprise." Hoping to increase his wealth and win distinction in the New World, he came to America about the time Marquette and Joliet returned from their voyage down the Mississippi. While exploring the rivers and lakes of Canada, he heard reports of the "endless river" farther west and conceived the idea of a northwest passage to the East Indies. He communicated his view to the commandant of Fort Frontenac (now Kingston Canada), who advised him to lay his plan before the Court at Paris. He therefore returned to France, where he was granted the seigneury of Fort Frontenac. On May 12, 1678, he received letters patent from Louis XIV, then King of France, authorizing him to continue the explorations of Marquette

and Joliet, "find a port for the king's ships in the Gulf of Mexico, discover the western parts of New France, and find a way to penetrate Mexico."

While in Paris, La Salle formed the acquaintance of Henri de Tonti, the son of an Italian refugee. It is said that his father was the inventor of tontine insurance. Finding in Tonti a man of strong personality, La Salle persuaded him to come to America. Tonti had lost a hand by the explosion of a grenade in the Sicilian wars, and wore a metal hand covered with a glove. On several occasions, after becoming La Salle's lieutenant, he used this hand effectually upon disorderly Indians. Among the savages he became known as "the man with the iron hand." La Salle was also accompanied back to Canada by Father Louis Hennepin, a Franciscan friar, and some thirty men. Father Hennepin acted as missionary and historian.

This little company landed at Quebec in July, 1678, and La Salle immediately began preparations for an expedition to the Mississippi River. At the foot of Lake Erie a small sailing vessel, called the Griffon, was built under the direction of Tonti. Early in the spring of 1679 this vessel began its voyage around the Great Lakes to Green Bay. Then, following the return route of Marquette and Joliet, the expedition reached the Illinois. Late in the year they reached the vicinity of the present City of Peoria, Illinois, where a courier arrived bringing news of the loss of the Griffon. The loss of his vessel made it necessary for La Salle to return to Canada. Before setting out on his return a fort was built, which was named Fort Creve Coeur (Broken Heart). On March 22, 1680, La Salle took five men and started for Canada, leaving the rest of the company at the fort with Tonti in command. Several of the men deserted and because of the threatening attitude of the Illinois Indians, then at war with the Iroquois, Tonti went farther up the river and built another fort, which he called St. Louis. He describes the site of this fort as "a rock, very high, the top of which was even and of convenient space, so that it commanded the river and country round about."

The place where this fort was erected still bears the name of "Starved Rock." It is on the Illinois River about half way between the cities of La Salle and Peoria. Early in the spring of 1681 Tonti left Fort St. Louis for Michilimackinac. There he was joined by La Salle in October. A few weeks later the second, and what proved to be the successful expedition, left Michilimackinac. This time La Salle was accompanied by his lieutenant, Henri de Tonti; Jacques de la Metarie, a notary; Jean Michel, surgeon of the expedition; Father Zenobe Membre, a Recollet missionary; and "a number of Frenchmen bearing arms."

It is not necessary to follow this little expedition through all its vicissitudes and hardships in the dead of winter and a wild unexplored country. Suffice it to say that the Mississippi was reached on February 6, 1682, and their canoes began the descent of the great Father of Waters. Upon arriving at the Chickasaw Bluffs a halt was made and a hunting party was sent out to procure game for food. Pierre Prudhomme, one of the hunters, lost himself in the woods and was found only after a nine days' search. La Salle then built a small fort there and named it Fort Prudhomme, leaving the lost hunter in command. The visit to the Indian villages in Arkansas is thus described by Tonti:

"We continued our route as far as the village of Cappa, fifty leagues off. The savages, having been informed that we were coming down the river, came

in their canoes to look for us. We made them land, and sent two Frenchmen to their villages; the chief visited us with the calumet and we went to the savages. They regaled us with the best they had and, after having danced the calumet to M. de la Salle, they conducted us to their village of Toyengan, eight leagues from Cappa. They received us there in the same manner, and from thence they went with us to Toriman, two leagues farther on, where we met with the same reception. It must be remarked that these villages, the first of which is Osotonoy, are six leagues to the right descending the river, and are commonly called Akancas."

The notary, Metairie, says: "On the 12th of March we arrived at the Kapaha village of Akansa. Having established a peace there and taken possession, we passed on the 15th another of their villages, situate on the border of their river, and also two others, farther off in the depth of the forest, and arrived at that of Imaha, the largest village in this nation, where peace was confirmed, and where the chief acknowledged that the village belonged to His Majesty."

After resting for several days at the Arkansas villages, La Salle proceeded down the river, arriving at the mouth early in April. On April 7th, according to Tonti, "M. de la Salle sent canoes to inspect the channels; some of them went to the channel on the right hand, some to the left, and M. de la Salle chose the center. In the evening each made his report, that is to say, that the channels were very fine, wide and deep."

The next day the expedition ascended the river for some distance, or until high ground was reached. There on April 9, 1682, La Salle erected a cross bearing the arms of France and the following inscription: "Louis le Grand, Roi de France et de Navarre, Regne; Le Neuvieme Avril, 1682." Thus La Salle formally took possession of "all the country drained by the great river and its tributaries," and conferred upon the territory thus claimed the name of Louisiana, in honor of the French King. The French gave to the Mississippi River the name of "Colbert," in honor of Jean Baptiste Colbert, the French minister of marine. By La Salle's proclamation of April 9, 1682, the territory now comprising the State of Arkansas became a French possession.

LA SALLE'S DEATH

On the return to Canada, Tonti was left with a detachment at Fort St. Louis. La Salle went on to Quebec, where he made his report. Putting his affairs at Fort Frontenac in good shape, he left for France in September, 1683, to make preparations for colonizing the country. He sailed from Rochelle on July 24, 1684, with four vessels and 280 persons, intending to sail up the Mississippi to some suitable point and plant a colony. The little fleet passed the mouth of the Mississippi without recognizing it and landed in what is now known as Matagorda Bay, on the coast of Texas. One of the vessels was wrecked in landing, two shortly afterward returned to France, leaving La Salle only one ship (the La Belle) with which to search for the mouth of the great river. A few weeks later the La Belle met with an accident while crossing the bay and sank.

A small fort was erected on a point of land at the entrance to the bay. Some attempts at farming were made during the summer of 1685, but the depreda-

tions of the Indians prevented much being done in this line. To add to their discomfiture, the diseases contracted in St. Domingo assumed a malignant form and over one hundred died. Under these adverse conditions, La Salle decided that a journey overland to the Illinois country, where Tonti was in command, promised the only means of relief. In April, 1686, he selected twenty of his best men and marched in a northeasterly direction for about four hundred miles, but was obliged to return on account of the desertion of four of his men, the illness of himself and others of the party, and a shortage of ammunition.

In January, 1687, he set out again, with the same number of men, directing his course more to the eastward, hoping to find the Mississippi. After a march of about two months, La Salle halted in a delightful part of the country, on a branch of the Trinity River, where there appeared to be plenty of game, in order to prepare a stock of provisions. The following account of what occurred here is taken from Thwaite's "Early Western Travels":

"In this situation, the men under his command had time to reflect on the fatigues they suffered, and secretly to deliberate on the means of escaping them. They readily fancied that their companions, who deserted the year before, were happy among the Indians, and they felt a secret desire to participate with them the enjoyments of rural life. Under these extravagant impressions, they soon reconciled themselves to the commission of the blackest crimes. These poor fellows had been accustomed to beg their bread about the streets of Rochelle, and honor and gratitude formed no part of their character. In fine, they resolved to murder such as were likely to obstruct their designs. M. de la Salle sent his nephew, servant and hunter in pursuit of game; and these fell the first victims. Their long absence rendered him uneasy, particularly as he had discovered treacherous symptoms in the conduct of his men; and he went in search of his lost companions with the most awful presages of their destruction, and of his own fate. He finally found their dead bodies. The two murderers fired from their obscure retreat and gave him a mortal wound, of which he shortly expired. Thus perished M. de la Salle on the 19th day of March, 1687, illustrious for his courage as well as his misfortunes, and one of the greatest adventurers of the age in which he lived."

The two men who killed La Salle were named L'Archeveque and Duhaut. The latter was soon afterward killed by one of his fellow conspirators. L'Archeveque joined the Indians and nothing more was ever heard of him.

In the meantime Tonti, with forty of his men, under orders from the French minister of marine, left Fort St. Louis and went down the Mississippi to meet La Salle. After waiting near the mouth of the river for some time and hearing nothing of the fleet, he returned to the Indian villages on the Arkansas River, where he left ten of his men to establish a post. A history of this settlement is given in Chapter XXI. Some writers say he left but six men, but Tonti's own account says: "My companions, delighted with the beauty of the climate, asked my permission to settle there. As our intention was only to humanize and civilize the savages, by associating with them, I readily gave my consent. I formed the plan of a house for myself at the Arkansas. I left ten Frenchmen of my company there with four Indians, to proceed with the building, and I gave them leave to lodge there themselves, and to cultivate as much of the land as they could clear."

Upon the death of La Salla, Joutel assumed command of the loyal members of the company and continued the journey. Sparks, in his "Life of La Salle," says: "On July 24, 1787, they saw on the opposite side of the river (the Arkansas), to their inexpressible joy and surprise, a large cross and a house of logs built French fashion. This house was near the junction of the Arkansas River with the Mississippi, where the provident Tonti, true to his duty and attachment, had posted six men, with the hope that they might be able in some way to communicate with the Sieur de la Salle. Two of them only—Couture and Delaunay—now remained; the other four had gone back to the Illinois."

MALLET BROTHERS

In the spring of 1739 two Frenchmen named Mallet, with five men and two canoes, ascended the Missouri River to the mouth of the Platte. There they rested for several days, forming friendly relations with the Indians, with a view to establishing a trading post. They then turned their canoes up the Platte and ascended that stream for some distance. Concealing their canoes, they struck a southwesterly course across the country and reached Santa Fe early in the autumn.

The winter was passed in Santa Fe. Early in May, 1740, the two brothers started on their return trip to the Platte, intending to complete their arrangements for the establishment of their trading post. They struck the Arkansas River about forty miles east of the present Dodge City, Kansas. At that point the course of the river is toward the northeast. Thinking it might form a junction with the Platte or Missouri, they decided to travel by water. Canoes were constructed and the little party embarked. At the "Great Bend" they were disappointed to find the river had changed its course to the southeast. Still hoping that it emptied into the Missouri, and impressed with the beauty of the country along its shores, the voyage was continued. They finally reached the mouth of the Arkansas, where they discovered that they were many miles south of the Platte River. The season was too far advanced to think of making the long journey and they went on down the Mississippi to New Orleans.

In 1722 Bernard de la Harpe explored the Red and Arkansas rivers, ascending the latter stream to about where Fort Gibson now stands. On his way up the river he encamped one night at Big Rock, to which he gave the name of "La Rocher Francaise." Above Fort Gibson the Mallet brothers were the first to explore the river.

CHAPTER V

FRENCH AND SPANISH DOMINATION

EUROPEAN NATIONS RECOGNIZE FRANCE'S CLAIM TO LOUISIANA—LA SALLE'S IDEA—FIRST COLONISTS—BIENVILLE BECOMES GOVERNOR—THE WESTERN COMPANY—LAW'S LAND GRANT ON THE ARKANSAS—BIENVILLE AGAIN GOVERNOR—THE BUBBLE BURSTS—LOUISIANA AS A CROWN COLONY—FRENCH GOVERNORS FROM 1732 TO 1766—TREATY OF FONTAINEBLEAU—SPANISH RULE—GOVERNORS—ULLOA—O'REILLY—UNZAGA—GALVEZ—MIRO—CARONDELET—GAYOSO—SALCEDO—LIEUTENANT-GOVERNORS.

De Soto discovered the Mississippi River in 1541, but for almost a century and a half Spain made no effort to enforce her claim to the territory, based upon that discovery. Consequently, the European powers recognized the claim of France, based upon the expeditions of La Salle. It was several years, however, before France began preparations for the colonization of the country. This delay was partly due to the untimely death of La Salle, and partly to the state of the finances of the French Government.

La Salle's idea was to build a line of forts along the Mississippi and about the Great Lakes, connecting the French settlements in Canada with the Gulf of Mexico. Four of these forts he built himself, viz.: Fort Miami, near the head of Lake Michigan; Forts Creve Coeur and St. Louis, on the Illinois; and Fort Prudhomme, about where the City of Memphis, Tennessee, is now situated. The purpose of these forts was threefold. 1. To afford protection to the French against hostile savages. 2. To serve as trading centers, where the Indians could exchange their peltries for the white man's goods 3. To provide resting places for traders and voyageurs.

THE FIRST COLONISTS

About the middle of October, 1698, Pierre Le Moyne, Sieur de Iberville, sailed from France with four vessels, carrying some two hundred colonists, a company of marines and the necessary provisions and utensils for founding a settlement. Iberville was accompanied by his brother, Jean Baptiste Le Moyne, Sieur de Bienville, and M. Sauvolle, who had been appointed governor of the province. Pierre and Jean Baptiste Le Moyne (usually referred to in history as Iberville and Bienville) were two of the ten sons of Charles Le Moyne, of Montreal, all of whom became prominent in Colonial affairs.

In January, 1699, the fleet anchored off Dauphin Island, at the entrance to Mobile Bay. Several days were spent in quest of a suitable place to establish a settlement. Then a few huts were erected on Ship Island and a small fort was built on the mainland opposite, at the head of Biloxi Bay. When the fort

was completed, Iberville took forty-eight men and, accompanied by Bienville, started to explore the Mississippi River. He entered the river on March 2, 1699, and ascended it as far as the mouth of the Red River. In connection with this expedition an incident occurred that shows how faithful an Indian could be to a trust. When Iberville reached the Bayagoula village the chief handed him a letter, which Tonti had given him thirteen years before, requesting him to give it to the white man who would come up the river. The letter read as follows:

"April 20, 1686.

"Sir: Having found the column on which you had placed the arms of France thrown down, I caused a new one to be erected about seven leagues from the sea. All the nations have sung the calumet. These people fear us extremely since your attack upon their village. I close by saying that it gives me great uneasiness to be obliged to return under the misfortune of not having found you. Two canoes have examined the coast thirty leagues toward Mexico and twenty-five leagues toward Florida.

TONTI."

The letter was intended for La Salle, whom Tonti had gone to the mouth of the river to meet. As narrated in the preceding chapter, La Salle missed the mouth of the Mississippi with his expedition of 1686, and later lost his life while trying to reach one of the forts on the Illinois River. The Indian chief sacredly kept the letter and gave it to the first white man that came to his village. That man happened to be Iberville.

After his expedition up the Mississippi, Iberville returned to France and and in 1701 brought a second company of colonists. The greatest difficulty encountered in the attempt to plant colonies along the Gulf coast was the unhealthfulness of the climate. So many died that in 1702 only thirty families remained. Among those who perished was Governor Sauvolle. Iberville's health was so impaired that he went to Havana, hoping to recuperate. He died there in 1706. For several years after that little was accomplished in the way of colonization.

BIENVILLE BECOMES GOVERNOR

Governor Sauvolle died on July 22, 1701, and Bienville, who came to the province as lieutenant-governor, succeeded to the office. He was then not quite twenty-three years of age, but was "wise beyond his years" and brought to the administration of affairs all the vigor and confidence of youth. About the time he assumed the office, his brother, Iberville, arrived with two ships of the line and a brig, bringing provisions, additional colonists and a detachment of French troops for the protection of settlers against Indian depredations.

Bienville accompanied his brother up the Mississippi in 1699. As the expedition was returning an English vessel of sixteen guns was met about eighteen miles below the site of New Orleans. The English captain frankly stated that he was looking for a location for an English colony on the Mississippi River. Iberville was somewhat dismayed at the formidable appearance of the British ship, but Bienville promptly informed the captain of the vessel that the whole Mississippi Valley belonged to the French. Without stopping to argue the question, the Englishman turned and proceeded down the river to the Gulf. The bend where this meeting occurred is still known as the "English Turn."

De Muys was appointed in 1706 to succeed Bienville, but died at Havana early in the following year, while on his way to Louisiana. Bienville continued as governor until 1712, when he was succeeded by Antoine de Lamothe Cadillac, who had founded the post of Detroit in 1701. Cadillac did not arrive at Mobile until May 17, 1713, and Bienville returned to France. He was afterward twice governor and has been called "The father of Louisiana."

After ten years of failure to establish successful colonies in Louisiana, Louis XIV grew discouraged. On September 14, 1712, he granted Antoine Crozat, a merchant of Paris, a monopoly of the trade in the province, with instructions to induce emigrants to settle therein. Cadillac, the new governor, became a partner, in a small way, in Crozat's undertaking. In 1715 he conducted an expedition up the Mississippi, passing the Arkansas villages, and discovered the lead mine near the head of the St. Francis River, afterward known as the "Mine la Mothe." The next year he was succeeded as governor by De l'Epinay. Soon after De l'Epinay entered upon his duties as governor, Crozat surrendered his charter. Louisiana then became once more a crown province.

THE WESTERN COMPANY

About eighteen months before Crozat gave up his Louisiana monopoly, a financial genius appeared in Paris in the person of John Law. As this man was for a time an important figure in the history of Louisiana, he deserves more than passing mention. John Law was born in Edinburgh, Scotland, in 1671 and was related to the house of the Duke of Argyle. His father, a banker of Edinburgh, gave him a liberal education. The young man became interested in the study of financial subjects, but his wayward habits got him into trouble. When he was about twenty-three years of age he fled to Holland to avoid arrest for the killing of a Mr. Wilson. While in that country he had an opportunity to study the operations of the Bank of Amsterdam. He saw, or at least thought he saw, how established banking customs could be improved, so as to yield greater returns, but bankers to whom he presented his ideas were too conservative to adopt them.

In the spring of 1716 he went to Paris. The Duke of Orleans was then regent for the infant king, Louis XV, and the public treasury was sadly in need of funds. He listened to Law, gave him a franchise to establish a private bank of issue, and agreed that the government would stand as sponsor for a large part of the bank's circulation. On August 13, 1717, the same day that Crozat surrendered his charter, Law organized the Western Company, with a capital of 100,000,000 livres. A livre of that period was equal to about 20 cents in United States money of the present day, hence the capital stock was equivalent to $20,000,000. On September 6, 1717, the Duke of Orleans issued a royal grant, giving the company authority to make permanent settlements; to appoint governors and judges, and to remove such officers at pleasure; to sell and alienate the lands, and to receive "in perpetuity all of the lands, harbors and islands which compose our province of Louisiana."

The charter also requested those who held lands without grants or patents from the crown, "to assure themselves of the rights to the lands they possess, which shall be made to them gratuitously." The company is variously known

as "The Western Company," "The Company of the West," "Law's Company," "The Company of the Indies," "The Mississippi Company" and the "Mississippi Bubble."

LAW'S LAND GRANT

In the spring of 1718 Law received a grant of land twelve leagues square (82,160 acres), on the Arkansas River not far from the Quapaw villages. He agreed to settle 1,500 colonists upon this grant, and maintain a military force sufficient to protect them from the Indians. Later in the year Le Page Du Pratz brought over 800 men, mostly Alsatians, part of whom settled upon Law's grant. Du Pratz remained in Louisiana for about sixteen years as a planter. He was overseer of public plantations under the Law regime, and held that position for some time after the crown resumed control.

Law erected his grant into a duchy, with M. Levens as manager and trustee. In March, 1719, some five hundred negroes were brought to Louisiana, and in October of that year another large party of Alsatians and other Germans arrived, most of whom were intended as settlers upon Law's grant. Ammunition and stores for a company of dragoons were transported to the duchy, and merchandise to the value of about one million livres was sent from France for the purpose of opening a trade with the Indians. When the colonists learned of Law's failure, they abandoned the settlement and went down the Mississippi, intending to return to Europe. The officials of the province, however, persuaded them to remain in Louisiana and they settled on the Mississippi River above New Orleans. The place where they located is still known as the "German Coast." When La Harpe passed up the Arkansas River in 1722, he found forty-seven persons still living upon the concession, but upon his second visit, in April, 1723, the place was entirely abandoned.

When Thomas Nuttall went up the Arkansas River in February, 1819, he wrote: "Had the unfortunate grant of Mr. Law been carried into effect, which proposed to settle, at and around the present Village of Arkansas, nine thousand Germans from the Palatinate, we should now probably have witnessed an extensive and flourishing colony in place of a wilderness, still struggling with all the privations of savage life."

BIENVILLE AGAIN GOVERNOR

Soon after the Western Company came into control of Louisiana affairs, Law recommended Bienville for governor. He was accordingly reappointed on March 9, 1718. One of his first acts was to provide for the removal of the capital to some point on the Mississippi River. Although he went to France when succeeded by Cadillac in 1713, he soon came back to Louisiana. In 1717 he built a fort at Natchitoches and on his way back to Mobile selected the site of New Orleans, which was so named in honor of the Duke of Orleans. The capital was located there in 1718.

Philip Francois Renault, agent for the company, sailed from France in 1719 with over two hundred mechanics for the purpose of developing mines. He stopped in the West Indies, where he secured about five hundred negro

slaves. In 1721 he reached Fort Chartres. Renault received several large grants of land for mining purposes—one west of the Mississippi River, one near the present City of Peoria, Illinois, and one a short distance above Fort Chartres. He founded St. Philippe, near the fort, and built the first smelting furnace in the Mississippi Valley.

On September 5, 1721, a Supreme Council was organized for the control of all matters pertaining to the Western Company in Louisiana. The council was composed of the governor, a lieutenant-governor, the commissary director and the director of accounts. The province was divided into nine districts, each of which was to be governed by a commandant. Arkansas was made the eighth district. It was also provided that each district should have a judge, from whose decisions appeal could be taken to the Supreme Council.

In granting the charter to Crozat in 1712, Louis XIV expressly stipulated that the laws of France and the ordinances of Paris should govern Louisiana. Under the charter of the Western Company the governor was given authority to promulgate laws. In 1722 Bienville issued his first code. Section 1 provided for the expulsion of Jews from the province. Section 2 required all slaveholders to give religious instruction to their slaves. Section 3 excluded all forms of religious worship except those of the Roman Catholic Church. The other fifty-one sections dealt with the relationship of master and slave, which caused the code to become generally known as the "Black Code."

The promulgation of this code, coupled with other acts of the governor, aroused considerable opposition. Early in January, 1724, Bienville was summoned to Paris to answer charges preferred by his enemies. His cousin, Pierre Dugue de Boisbriant, acted as governor until the arrival of Perier, who had been appointed as Bienville's successor. He did not arrive in New Orleans until the fall of 1726.

THE BUBBLE BURSTS

In the meantime Law was cultivating the friendship of the Duke of Orleans, with a view to obtaining additional favors. On January 1, 1719, his bank was made the Banque Royale of France, with the regent as its executive head and Law as director. Authority was given to the bank to issue notes in unlimited amount, and the Western Company was to place the notes in circulation. The discovery of the St. Genevieve lead mines, at first supposed to be silver, gave rise to a rumor that rich mines in America were to be exploited by the company and thousands were eager to become stockholders in the enterprise. To meet the clamor the capital stock was greatly increased and in a short time the shares rose to twenty times their par value.

About the beginning of the year 1720 Law was made comptroller-general of France. A little later the Western Company absorbed the Banque Royale, with all its powers and privileges. The consolidation of these two interests made Law financial king. All the money power of France was placed at his disposal. As comptroller-general every tax came into his hands, and he had power to levy a tariff on both exports and imports. Yet, with all his power, he was unable to keep his gigantic schemes afloat. In December, 1720, he left Paris and went to Venice, where he died on March 21, 1729.

Most writers on this subject have characterized John Law as the greatest swindler in history. But was he really a swindler? A swindler generally profits by his projects. It is certain that Law sank a large part of his personal fortune in promoting his bank and company. It is also certain that when he left Paris in 1720, he took only a small sum of money—probably not more than one thousand francs. Judge Joseph M. White, of Florida, who was appointed in 1804 to digest the laws of France, and who had ample opportunity to study the history of the "Mississippi Bubble," says: "Law might have carried out his vast designs if he had been able to resist the demands of an effete and impoverished aristocracy, which drove him to overissue and inflation, collapsed the bank in two years, and brought bankruptcy to France."

It was the ambition of the Duke of Orleans to leave the finances of the nation in better condition at the close of his regency. Thwaites says: "Law was compelled to adopt his disastrous course to gratify the importunities of the Duke of Orleans, who expected to get enough to liquidate the national debt of France."

Whether Law was a swindler, or whether he was the victim of a dissolute aristocracy, is an open question. The failure of his plans, however, brought ruin to thousands and retarded the settlement of the French possessions in the Mississippi Valley. After he left Paris the Western Company continued its efforts to plant colonies in Louisiana, but none of these efforts was crowned with success. The settlers grew discouraged, the Indians became troublesome, and on April 10, 1732, the company surrendered its charter. In accepting the surrender, the government purchased the effects of the company, including plantations, buildings, merchandise, negro slaves, etc.

AS A CROWN COLONY

Perier continued as governor for about two years after Louisiana became a royal province. The principal event of his administration was the campaign against the Natchez Indians. Fort Rosalie had been built in 1716, where the City of Natchez now stands. On November 29, 1729, the Indians attacked the fort and massacred the greater part of the garrison, only a few escaping with their lives. The following year Perier invaded the Natchez country and waged such a vigorous warfare that the tribe was practically annihilated. The remnant found a refuge among their more powerful neighbors, the Chickasaw.

Bienville was acquitted of the charges made against him in 1724, and in 1734 he was again appointed governor of Louisiana. The Chickasaw Indians, having espoused the cause of the Natchez, were threatening the Louisiana settlement. Bienville at once assumed the offensive and in 1735 led an expedition into the Chickasaw country. On the fourth Chickasaw Bluff he built a small stockade fort, which he named Fort Assumption. Gayarre's "History of Louisiana" says: "In the spring or early summer of 1736, De Grandpre, who commanded at the Arkansas, sent twenty-eight Indian warriors to ascertain whether De Arlanguette was at Ecore a Prudhomme (Fort Assumption) and report to him. Not finding De Arlanguette, the Indians disobeyed their orders to return and report, and followed the retreating De Arlanguette, leaving De Grandpre to proceed without information. * * * The expedition failing, De Grand-

pré, with his Arkansas warriors, returned to the settlement where he commanded."

Fort Assumption was abandoned in 1740, the garrison and stores being taken across the Mississippi to Fort St. Francis. The site of Fort St. Francis is one of the unsettled questions connected with Arkansas history. Bancroft says: "To advance the colony, a royal edict of 1737 permitted a ten years' freedom of commerce between the West India Islands and Louisiana; while a new expedition against the Chickasaws received aid, not from the Illinois only, but even from Montreal and Quebec and from France. This expedition made its rendezvous in Arkansas on the St. Francis River."

Bancroft's location is rather indefinite, as he merely states that the fort was on the St. Francis River. Some writers have placed it on the bluff near Wittsburg, Cross County, because musket balls have been found there. The purpose of the early French forts was to protect the line of communication by water between the Louisiana settlements and those in Canada. It is not likely that a fort would have been established on the St. Francis nearly forty miles from the Mississippi. Monette says it was at the mouth of the St. Francis, which is probably correct.

Bienville's management of the war against the Chickasaw nation was the ground for some criticism on the part of the French minister of colonial affairs. On March 26, 1742, he wrote asking to be relieved. In his letter he said: "If success had always corresponded with my application to the affairs of the government and administration of the colony, and with my zeal for the service of the king, I should have rejoiced in consecrating the rest of my days to such objects; but through a sort of fatality which for some time past has thwarted my best concerted plans, I have frequently lost the fruit of my labors, and perhaps some ground in your excellency's confidence. Therefore have I come to the conclusion that it is not necessary for me to struggle against my adverse fortune. I hope that better luck may attend my successor."

Pierre Rignault, the Marquis de Vaudreuil, was appointed governor in 1742, but did not reach New Orleans until early in the following year. Bienville then left Louisiana never to return. He died in Paris on March 7, 1767. While governor of Louisiana he did one thing that should not be forgotten. It was he who in 1740 introduced the cultivation of cotton upon the Louisiana plantations—a crop which has brought millions of dollars to the Southern States.

About the only noteworthy feature of Vaudreuil's administration was the gradual increase in expenses. In 1752, the last year of his incumbency, the cost of administration was 930,767 livres, or nearly $50,000, which was an enormous sum of money at that time. The period while he was governor (from 1742 to 1752) was long remembered in New Orleans for its brilliancy, its balls and other social functions. In April, 1751, Captain Bossu arrived in New Orleans. He was sent from Paris by the French minister of marine to explore the Province of Louisiana and report the result of his observations. The following autumn he spent some time among the Indian tribes of Arkansas, into one of which he was adopted.

On February 9, 1753, Baron de Kerlerec succeeded Vaudreuil. He was a captain in the royal navy and a man of considerable executive ability. His administration was quite different from that of his predecessor. Kerlerec paid

but little attention to social matters, but inaugurated a policy calculated to improve industrial conditions. He soon discovered that the English were trying to form an allegiance with some of the Indian tribes east of the Mississippi. To offset this, he called the Arkansas chiefs into conference, promised them the protection of France, and advised them to organize war parties against the tribes on the other side of the river. The chiefs were delighted at the attention shown them by the governor, but were not strong enough to make war against the powerful Chickasaw and Cherokee nations.

Kerlerec made himself unpopular by his criticisms of the soldiers under his command. Gayarre says: "Reading the dispatches of the governors of Louisiana for a series of fifty-four years, one is tempted to believe the French Government used to select from convicts in the King's jails the men sent as soldiers to Louisiana. Bienville complained that they were undisciplined and not willing to learn; Perier reported that they fled at the first fire and that he had to depend chiefly on his Indian allies; and Kerlerec asked for Swiss soldiers, because they were superior to the French."

On June 29, 1763, Kerlerec turned the government of the province over to M. D'Abbadie and went to Paris, where he was thrown into the bastile, charged with usurpation of authority, failing to perform his duty, and spending a large sum of money under pretense of preparing for war, when no preparations were made. He was discharged in disgrace from the navy and died a few years later.

Soon after assuming the office of governor, D'Abbadie granted Pierre Laclede the exclusive right to trade with the Indians on the upper Mississippi and Missouri rivers. Laclede founded the City of St. Louis in February, 1764. He selected the site in the fall of 1763, passed the winter at Cahokia, Illinois, and as soon as the weather would permit the following year, he began the erection of a log cabin. During the next few years he established a number of trading posts in the territory covered by his license. One of these was located near the mouth of the Arkansas River. He died at that post and was buried there on June 20, 1778.

TREATY OF FONTAINEBLEAU

Nearly seven months before D'Abbadie became governor, Louis XV had lost, through the fortunes of war, his entire possessions in North America. What is known in American history as the French and Indian war began in 1753, and for nine years both the French and English colonies in America were kept in a state of turmoil and uncertainty. The war was ended by the Treaty of Fontainebleau, which was concluded on November 3, 1762. By this treaty France relinquished to England the Dominion of Canada, the country about the Great Lakes, and that part of Louisiana lying east of the Mississippi River. On the same date and at the same place, a secret treaty was negotiated, by which France ceded all her possessions west of the Mississippi to Spain.

The provisions of the Treaty of Fontainebleau were reasserted by the Treaty of Paris (February 10, 1763), whereby England and Spain were confirmed in their new possessions. D'Abbadie was not notified of the transfer until April 21, 1764, when he was directed to "resign into the hands of the governor ap-

pointed therefor by the King of Spain, the said country and colony and its dependencies, with the City and Island of New Orleans, in such state as they may be at the date of such cession, wishing that in future they belong to his Catholic Majesty and administered by his governors and officers, in full right and without exception."

D'Abbadie lacked the courage to make known to the people of Louisiana the news he had received. He died on February 4, 1765, and M. Aubry became acting governor. Aubry was a brave and efficient officer, who had served with distinction in the French and Indian war, but he hesitated to inform the inhabitants that they were expected to become subjects of Spain. When he did so the news produced a depressing effect, which afterward found expression in open insurrection.

SPANISH RULE

Don Antonio de Ulloa was appointed governor by the King of Spain, but a delay of more than three years occurred before that country took possession. Under date of July 10, 1765, Ulloa wrote to the Supreme Council that he would soon arrive in New Orleans, but he did not reach the city until March 5, 1766. He was accompanied by two companies of infantry and spent some time in visiting the outlying posts. His next act was to promulgate a series of "Commercial Regulations," which brought a vigorous protest from the merchants of New Orleans. Ulloa has been described as "obstinate, violent and imperious; arrogant when yielded to, timid and suppliant when resisted; a sharp, weak voice; a small soul in a thin, small body, and a forced laugh which branded him as a knave and hypocrite."

Early in July, 1766, the protest of the merchants found strong support among the leading citizens of the province. Led by Nicholas Chauvin de la Freniere, attorney-general of the province, and Jean Baptiste Noyan, the revolt assumed such proportions that Ulloa deserted his post and returned to Havana in the same ship that had brought him to Louisiana. The revolt accomplished nothing, however, except the expulsion of the unpopular governor, though Aubry continued to act as governor until the arrival of Ulloa's successor on July 24, 1769.

That successor was Alexander O'Reilly, an Irishman who had entered the military service of Spain as a young man, having previously served in the armies of Austria and France. After the Treaty of Fontainebleau he was sent to Cuba to strengthen the fortifications, and when Ulloa was driven from Louisiana he was ordered to take a military force and establish Spanish authority in the province. Upon taking up the reins of government he created the impression that he meant to treat the French with consideration, but after learning the names of the chief insurrectionists his conduct underwent a change. Five of the leaders of the revolt faced a firing squad and others were imprisoned. Robertson, in his "Louisiana Under Spain, France and the United States," says: "Although his measures are generally spoken of as cruel, with the exception of Bernardo de Galvez, he was the best governor of Louisiana during the Spanish regime."

In 1770, having restored order, O'Reilly appointed Luis de Unzaga governor

and returned to Cuba. At the time of his appointment, Unzaga was lieutenant-colonel of the Havana regiment. His appointment was confirmed by the Spanish Government on August 17, 1772, and he served until February 1, 1777. Gayarre says: "Unzaga constructed broadly or quite disregarded the restrictive commercial laws Spain sought to enforce, and by his liberal policy won favor with the people of Louisiana."

In a petition in 1774, Unzaga stated that he had served for forty-one years in the armies of Spain, thirty-three years of which were passed in America. The next year he was promoted to brigadier-general. About the same time he married a daughter of St. Maxent, a partner of Pierre Laclede, and asked to be retired from the service with permission to reside in Malaga. His request was refused and he was appointed captain-general of Caracas.

On February 1, 1777, Bernardo de Galvez took office as governor, though he had been appointed in July of the preceding year. At that time the English colonies in America were at war with the mother country. Galvez sympathized with the Americans in their struggle for independence. It was largely through his influence that Spain virtually recognized the independence of the United States in 1778, by relinquishing all claim to the country east of the Mississippi River and north of the parallel of 31° north latitude. In 1779 Galvez led an expedition against the British posts at Natchez and Baton Rouge, both of which surrendered. Two years later he captured Pensacola. His victories drove the British from the country and opened the way for the erection of Mississippi Territory by the United States a few years later.

In 1785 Galvez was appointed captain-general of Cuba, Louisiana and the two Floridas. Later in the same year, upon the death of his father, Matias de Galvez, he was appointed viceroy of Mexico, retaining the captain-generalcy of Louisiana and the Floridas. He died in August, 1794. Among the documents of the Continental Congress, in the Library of Congress, are many letters which show the attitude of Galvez during the Revolutionary war.

Upon the promotion of Galvez in 1785, Estevan Miro was appointed provisional governor of Louisiana. He was a native of Catalonia and when appointed governor was colonel of the Louisiana regiment. Gayarre describes him as "a man of sound judgment, high sense of honor, suavity of temper and great energy." Miro's administration lasted until December 30, 1791, when he was succeeded by Francois Luis Hector, Baron de Carondelet.

Perhaps none of the Spanish governors was more zealous in the service of his king than Carondelet. Certainly none was more industrious in trying to encourage immigration, develop the natural resources and give military protection to the inhabitants. In 1792 he built Fort St. Philip on the Mississippi, a few miles below New Orleans, to prevent English vessels from ascending the Mississippi. After the transfer of the province to the United States in 1803, Fort St. Philip was occupied by a detachment of troops. During the battle of New Orleans on January 8, 1815, its guns repulsed a British reinforcement coming up the river, thus adding materially to General Jackson's historic victory. Carondelet also constructed the Canal St. John, which connects New Orleans with Lake Pontchartrain, affording a shorter route to the Gulf of Mexico than the Mississippi.

To encourage immigration and settlement, Carondelet made a large number

of land grants to persons desiring to establish colonies or become inhabitants of the province. Several of these land grants were within the limits of the present State of Arkansas. His ambition was to increase the population of Louisiana to an extent sufficient to resist the encroachments of the United States. The rapid settlement of Kentucky and Tennessee, immediately after the Revolutionary war, caused considerable alarm to the Spanish authorities. Governor Miro pointed out to the Spanish court that these settlements were likely to prove a menace to Louisiana, and started an intrigue to win the allegiance of the settlers. Carondelet continued this intrigue, but without success. Kentucky was admitted as a state on June 1, 1792, and in his military report of November 24, 1794, Carondelet says:

"This prestigious and restless population, continually forcing the Indian nations backward and upon us, is attempting to get possession of all the vast continent which those nations are occupying between the Ohio and Mississippi rivers and the Gulf of Mexico and the Appalachian Mountains, thus becoming our neighbor; at the same time they are demanding with threats the free navigation of the Mississippi.

"Every new settlement, when it reaches 30,000 souls, forms a state, which is united to the United States, so far as regards mutual protection, but which governs itself and imposes its own laws. The wandering spirit and the ease with which those people procure their sustenance and shelter, quickly form new settlements. A carbine and a little maize in a sack are enough for an American to wander about in the forests for a whole month. With his carbine, he kills the wild cattle and deer for food and defends himself from the savages. The maize, dampened, serves him in lieu of bread. * * * When a family tires of one location, it moves to another, and there settles with the same ease. Thus in eight years the settlement of Cumberland (Tennessee) has been formed, which is now about to be created into a state.

"If such men succeed in occupying the shores of the Mississippi or of the Missouri, or to obtain their navigation, there is, beyond doubt, nothing that can prevent them from crossing those rivers and penetrating into our provinces on the other side. Since these provinces are in a great measure wildernesses, no obstacle can be opposed. Who can be certain that their few inhabitants will not gladly and eagerly join certain men, who, by offering them help and the protection to make themselves independent, to govern themselves, and to impose their own laws will flatter them with the spirit of liberty and with a free, extensive, lucrative commerce, etc.? A general revolution, in my opinion, threatens Spain in America, unless it apply a powerful and speedy remedy."

The Spanish land grants, the controversy over the free navigation of the Mississippi River, the intrigue to separate Kentucky and Tennessee from the Union and attach them to the Spanish possessions, all wielded an influence upon the subsequent fate of Arkansas, as will be shown in other chapters of this history.

Manuel Gayoso de Lemos (usually called Gayoso) became governor on August 1, 1797. He was educated in England, entered the Spanish army, and during the administration of Governor Carondelet was in command of the Spanish troops in Louisiana, with the rank of brigadier-general. He has been described as "a man of majestic deportment, softened by manners the most

engaging and polite, who died poor, a circumstance which would indicate that he was not directly or indirectly interested in trade speculations as were most of the other Spanish officers high and low of Louisiana."

While military commander under Carondelet, Gayoso was active in the establishment of posts along the Mississippi to prevent the navigation of the Mississippi by the Americans. Late in the year he was sent to the Chickasaw country to stop the war between that nation and the Creek. In defiance of the United States authorities, he built Fort San Fernando on the Chickasaw Bluffs, about where the City of Memphis is now situated. The secretary of war protested, but according to Thwaites the fort was not abandoned until nearly two years after Pinckney's treaty with Spain, and then reluctantly.

There was once a Spanish post called Fort Esperanza opposite Memphis, where the Village of Hopefield, Arkansas, now stands. Fortesque Cuming, in his "Sketches of a Tour to the Western Country," writing in the spring of 1808, says: "On the point immediately below Mr. Foy's was formerly a Spanish fort, no vestige of which now remains." Thwaites says Fort Esperanza was built in the last days of Spanish rule, and Houck says that when Fort San Fernando was evacuated the Spaniards went across the river and established a new post. This was probably the old fort referred to by Cuming, or Fort Esperanza. If so it was established about 1797.

Gayoso died on July 18, 1799, and the Marquis de Casa Calvo acted as governor until the arrival of Juan Manuel de Salcedo on June 15, 1801. Salcedo was the last of the Spanish governors. Before he arrived in New Orleans the province had been retroceded to France by the secret Treaty of San Ildefonso. His father was a brigadier-general in the Spanish army. When Lieutenant Pike was arrested and taken to Chihuahua in 1807, he was examined by this General Salcedo. After Louisiana was purchased by the United States, Juan Manuel de Salcedo was appointed governor of Texas. He and his staff were captured by Gutierrez in 1813 and sentenced to death. The Americans with Gutierrez protested and the prisoners were sent to Matagorda under an escort of sixty Mexicans. Their bodies were afterward found, stripped of clothing and their throats cut, in the bed of the river. Such was the fate of the last Spanish governor of Louisiana.

LIEUTENANT-GOVERNORS

The Spanish early adopted the policy of having a lieutenant-governor in that portion of the province afterward known as Upper Louisiana. On January 7, 1767, Ulloa gave secret instructions to Francisco Rui to erect two forts at the mouth of the Missouri River. Rui was styled "captain and commandant of the Company of Louisiana and military and civil governor of the Spanish settlements at the mouth of the Missouri River."

Captain Rui began two forts, known as Don Carlos el Senor Principe de Asturias, and Don Carlos Tercero el Rey, at the mouth of the Missouri, but on August 4, 1767, he was removed and Pedro Piernas was appointed, with the title of lieutenant-governor. Piernas was succeeded on May 19, 1775, by Francisco Cruzat. On July 11, 1778, Fernando de Leyba arrived in St. Louis, succeeding Cruzat, and served until his death on July 25, 1780, when Cruzat

was reappointed. He served until November 27, 1787, when Manuel Perez became lieutenant-governor. Perez was succeeded by Zenon Trudeau, whose first report is dated November 28, 1791. On June 12, 1799, Carlos de Hault de Lassus succeeded Trudeau and continued in the office until the transfer of Upper Louisiana to the United States on March 9, 1804. The surrender of St. Louis to Maj. Amos Stoddard, of the United States Army, on that date officially ended Spanish rule in Louisiana. Arkansas then became recognized as part of the territory of the United States.

CHAPTER VI

THE LOUISIANA PURCHASE

LA SALLE'S CLAIM TO THE REGION DRAINED BY THE MISSISSIPPI—ORIGINAL EXTENT OF LOUISIANA—NAVIGATION OF THE MISSISSIPPI RIVER—SPANISH INTRIGUE—GENERAL WILKINSON—TREATY OF MADRID—SECRET TREATY OF SAN ILDEFONSO—JEFFERSON'S DIPLOMACY—NEGOTIATIONS—TREATY OF PARIS—SENTIMENT IN THE UNITED STATES—RATIFICATION—TAKING POSSESSION—DIVIDING THE PROVINCE.

In the preceding chapter has been given an outline of the history of Louisiana under French and Spanish rule. The negotiations for the purchase of the province by the United States constitute one of the greatest diplomatic transactions in modern history. To make plain the reasons for the purchase, it is necessary to notice the events which went before, and to review briefly some of the history over which we have just passed. It will be remembered that under the claim of LaSalle (1682) all the region drained by the Mississippi and its numerous tributaries became a French possession. Louisiana, as based on this claim, included all that part of the United States between the Appalachian and Rocky Mountains, except the small territory whose waters reached the ocean by way of the St. Lawrence River through the Great Lakes. The southern portions of Alabama and Mississippi, whose rivers flowed to the Gulf of Mexico, formed part of the Spanish possessions known as Florida.

It will also be remembered that in 1762 France lost every acre of land she owned in America, that part of Louisiana east of the Mississippi going to Great Britain, and all west of that river to Spain. George W. Cable, writing of the Treaty of Fontainebleau, says: "Louisiana was a gift which Spain neither coveted nor appreciated. It was given to her only for fear it might otherwise fall into the hands of Great Britain."

NAVIGATION OF THE MISSISSIPPI

By the preliminary treaty of November 30, 1782, and the definitive treaty of September 3, 1783, the Revolutionary war came to an end and the independence of the United States was established. Those treaties fixed the western boundary of the United States at the Mississippi River. Article VIII of the treaty of 1783 provided that "The navigation of the River Mississippi, from its source to the ocean, shall forever remain free and open to the subjects of Great Britain and the citizens of the United States."

Immediately after the Revolution people from the original thirteen states crossed over the Allegheny Mountains and began forming settlements in what are now the states of Ohio, Kentucky and Tennessee. The Mississippi con-

stituted the natural outlet for the products of this section—a section rapidly growing in population, wealth and political importance—and the right to navigate the river became a matter of grave concern. The origin of the controversy dates back to 1763, when England became the owner of the Illinois country. Article VII of the treaty of February 10, 1763, reads as follows:

"In order to reestablish peace on solid and durable foundations, and to remove forever all subject of dispute with regard to the limits of the British and French territories on the continent of America; it is agreed, that for the future, the confines between the dominions of his Britannic Majesty and those of his most Christian Majesty, in that part of the world, shall be fixed irrevocably by a line drawn along the middle of the River Mississippi, from its source to the River Iberville, and from thence by a line drawn along the middle of this river and the lakes Maurepas and Pontchartrain to the sea."

The provision in the treaty of 1783, giving the United States and Great Britain equal rights in the navigation of the Mississippi, gave umbrage to Spain. That nation retaliated by denying the right of free navigation to either England or the United States. In vain this country pointed out that the middle of the river had been fixed as the boundary between the French and British possessions in 1763, and that, as the heir to Great Britain's rights in America, the United States owned a half interest in the river. But that portion of the Mississippi below the Iberville River lay wholly within Spanish territory. Spain therefore claimed full control over that part of the river. To this claim the United States had no sufficient answer. Bernardo de Galvez was the Spanish governor of Louisiana at the time the treaty of 1783 was concluded. Under date of June 26, 1784, he wrote:

"It is the will of the King that during the period in which the bounds of this province and those of both Floridas with the American colonies are being regulated and determined, Your Lordship shall cause to be published and proclaimed to all the inhabitants of that district that the English and the United States of America have not the rights which they put forward to the free navigation of the Misisipi; since the treaty of November 30, 1782, upon which they found their claim, could not fix limits over that which England did not possess, the territory in question being already conquered and occupied by our arms on both banks of the said river at that period.

"I notify Your Lordship of the ordinance of His Majesty that it may be carried out, and with the purpose that the subjects of this captaincy-general, being informed of this declaration, may not expose themselves to legal actions and confiscations taken upon their commercial effects."

Galvez was then in Spain and this letter of instructions was written at Aranjuez and sent to the governor ad interim of Louisiana. There is no doubt it was written with the sanction of the king, and shows the attitude of Spain. The question of the navigation of the Mississippi now became one of the most vital between Spain and the United States.

SPANISH INTRIGUE

In Chapter V mention is made of the attempt to persuade the people in the settlements west of the Appalachian Mountains to separate from the Union

and place themselves under Spanish protection. Houck, in his "Spanish Regime in Missouri," says: "During the administration of affairs as governor, Miro was first visited by Gen. James Wilkinson, at that time a resident of Kentucky, and the intrigues to separate the West from the United States began. The settlers of the western part of North Carolina (now Tennessee), who had made repeated efforts to establish a separate state government, calling their section Frankland, or Cumberland, gave it the name 'District of Miro' in order to secure Spanish support. In a letter to Gen. Dan Smith, one of the leaders in this movement, Miro says he felt himself 'highly honored by that compliment' and that he would do all he could 'to contribute to the development of the resources of that province.'"

While Miro was governor the commercial restrictions upon the river trade were partially relaxed. This had a tendency to establish more amicable relations and a number of American families settled in Louisiana. This era of good feeling was of short duration. When Baron de Carondelet succeeded Miro on December 30, 1791, he promptly took steps to close the river to all American merchants and traders. Posts were established along the Mississippi and every boat descending the stream was compelled to land at these posts and submit to arbitrary revenue duties. This policy brought chagrin and humiliation to the American traders, as it caused vexatious delays and diminished their profits. Carondelet's idea was that, by exerting this pressure, he could hasten the day when the people of Kentucky and Tennessee would break their allegiance to the United States. Instead of producing the result hoped for, this policy had the opposite effect.

Thwaites' "Early Western Travels" (vol. iii, p. 13) says: "The discontent of the western settlers with regard to the free navigation of the Mississippi had reached an acute stage. The French minister to the United States (Edmond Charles Genet) had come armed with instructions to secure the cooperation of trans-Allegheny Americans for a raid upon the Spanish territory of Louisiana, aimed to recover the province for the power to which it had formerly belonged, and make it a basis for revolutionary movements in Canada, the West Indies, and ultimately all Spanish America."

Genet arrived at Charleston, South Carolina, in February, 1793, and selected Andre Michaux as his agent to communicate with the Kentucky leaders. Michaux succeeded in interesting Gen. George Rogers Clark. Gen. Benjamin Logan and a few others in the enterprise, but due to the imprudence of Genet, the firmness of President Washington and the loyalty of the westerners to the Federal Government, the whole scheme collapsed. Genet was recalled and the Spanish authorities in Louisiana resumed their operations along different lines.

GENERAL WILKINSON

Governor Miro had recommended a pension for General Wilkinson, but when Carondelet came into office the matter appears to have been dropped, although friendly relations between him and Wilkinson were continued. On April 7, 1794, Carondelet wrote to Don Luis de las Casas, the Spanish minister, as follows:

"I must inform Your Excellency that Monsieur La Capagne, having de-

scended last year from Kentuckee with very courteous letters of recommendation from General Wilkinson for me, and learning by other means that he was an intimate friend of Monsieur Sebastian, the prosecuting attorney of Kentuckee, to whom the court empowered me to give an annual pension if necessary to attract him to the side of Spain, I considered it as very essential to gain his good will. Having managed to investigate his mode of thought, without compromising General Wilkinson, by making much of him and in inviting him to dine with me several times, I succeeded in getting him to promise me to employ his credit in gaining partisans for Spain, and in influencing the Government of the State of Kentuckee with the desire of separating from the United States for the purpose of forming an independent alliance with Spain."

Don Manuel Gayoso de Lemos, afterward governor of Louisiana, was employed in 1792 to make a report upon the political condition of the province. In his report, dated July 5, 1792, he says: "In all the territory of the Anglo-Americans on this side of the Appalachian Mountains are settlements of great consideration, whose interests are directly opposed to the rest of the United States. This ought to make us careful, for their well-being is impossible so long as the navigation of the Mississippi is not free, and they are already extending their intention of frequenting that river freely without any restriction. * * * For a long time now it would have been advisable to have had an agent of the king there, with the title of consul or any other that would have been permitted in that country, or even a man without any public character, but under his Majesty's pay, so that he might promote the king's interest there in the manner that appeared best to him.

"It is true that in Kentucky we have had Brig.-Gen. Don James Wilkinson, well affected to our side. He is a person of great talent and influence, who has twice come down to this province and presented several memorials. In his own country, he has performed several important services to this province. * * * Lately, in order to recuperate his fortunes, and to dispel the suspicions of Congress toward him, he had to take up arms and received the second command of the army operating against the Indians, perhaps with another end in view. From that time he suspended his correspondence with the governor of New Orleans and with me."

This was written before the Genet fiasco. After the failure of that project, Carondelet strengthened the posts along the Mississippi and at the earliest opportunity reopened negotiations with General Wilkinson. The Spanish documents of this period contain many references to this notorious schemer and arch conspirator. Had Wilkinson been a trifle less cautious, he would have been a very dangerous man to the United States. But his desire to conduct his part of the undertaking with the greatest secrecy, and to shield himself from suspicion, rendered his efforts futile and thwarted his ambitions. Prof. W. R. Shepherd collected much of the correspondence between Wilkinson and the Spanish officials of Louisiana. This correspondence was published in the "American Historical Review" in 1904. It established the fact beyond question that Wilkinson actually took the oath of allegiance to the Spanish Government. Concerning this man and his deeds Thwaites says:

"The career of Gen. James Wilkinson is as remarkable as his character is despicable. His adroitness and power of inspiring confidence maintained him

in his intrigues and gave him the opportunity of playing a prominent part in Western affairs. His share in the Revolution was indicative of the man, he being concerned in the Conway Cabal and other questionable movements. At the close of the war, he migrated to Kentucky and engaged in mercantile business. His commercial connection with New Orleans furnished the opportunity for his intrigue with the Spaniards, whose paid agent he became for attempting to dismember the Union. Returning to the army, he acted as second in command under Wayne. Upon the latter's death, he became commander-in-chief, and after 1805 was appointed governor of Louisiana. In this position he first embarked upon and then betrayed the schemes of Aaron Burr. Not able entirely to clear himself of suspicion, Wilkinson was removed from his western position at the outbreak of the War of 1812; and after a futile and mismanaged campaign against Montreal demanded an investigation by court-martial. This being inefficiently conducted, Wilkinson was acquitted, but he soon (1815) retired to extensive estates which he had acquired near the City of Mexico, where he died ten years later."

TREATY OF MADRID

Meantime the custom of collecting the arbitrary duties from American traders on the Mississippi continued. Governor Carondelet claimed that he had no authority to make other arrangements, and President Washington decided to appeal to the court at Madrid. He directed Charles C. Pinckney, United States minister to Spain, to take up the matter of free navigation and sent William Carmichael to his assistance. Pinckney and Carmichael won the good will of Don Manuel Godoy, one of the wisest Spanish statesmen of that period, and through Godoy's influence a treaty was concluded on October 27, 1795. Two articles of this treaty are of special interest in connection with the subject under consideration, to wit:

"Article IV—It is likewise agreed that the western boundary of the United States, which separates them from the Spanish colony of Louisiana, is in the middle of the channel or bed of the River Mississippi, from the northern boundary of the said states to the completion of the thirty-first degree of latitude north of the equator. And his Catholic Majesty has likewise agreed that the navigation of the said river, in its whole breadth, from its source to the ocean, shall be free only to his subjects and the citizens of the United States, unless he should extend this privilege to the subjects of other powers by special convention.

"Article XXII—In consequence of the stipulations contained in the 4th article, his Catholic Majesty will permit the citizens of the United States, for the space of three years from this time, to deposit their merchandise and effects in the port of New Orleans, and to export them from thence without paying any other duty than a fair price for the hire of the stores; and his Majesty promises either to continue this permission, if he finds during that time that it is not prejudicial to the interests of Spain, or if he should not agree to continue it there, he will assign to them on another part of the Mississippi an equivalent establishment."

Another important provision of the treaty was the one fixing the boundary between Florida and the United States by "a straight line from west to east at the altitude of thirty-one degrees of latitude, from the Mississippi to the Apalachicola River." Under this provision Fort San Fernando (now Memphis), Fort Nogales (Vicksburg), and the post at Natchez were surrendered to the United States. The treaty was proclaimed on August 2, 1796, and was the cause of great rejoicing in the United States. It not only settled the question of the right to navigate the Mississippi, but it also gave the United States possession of a large tract of country east of the Mississippi, a region that had been in dispute for years.

TREATY OF SAN ILDEFONSO

The French Revolution brought into prominence two of the most noted characters in European history—Napoleon and Talleyrand. These two eminent French diplomats and statesmen, feeling deeply the loss of their country's possessions in America, began to dream of rebuilding a colonial empire for France, one feature of which was to regain Louisiana. To that end negotiations were opened with the Spanish Government. Don Carlos IV was then king of Spain, but Channing says: "The actual rulers of Spain were Dona Maria Luisa de Parma, his queen, and Don Manuel Godoy, el Principe de la Paz, which title writers of English habitually translate 'Prince of Peace.' "

Godoy well knew that he was not liked by Napoleon and Talleyrand. When they began their overtures for the retrocession of Louisiana to France, he resigned from the Spanish ministry, leaving the king without his most efficient adviser. Godoy and his objections being thus removed, the two Frenchmen, says Channing, "offered in exchange for Louisiana an Italian kingdom of at least one million inhabitants for the Duke of Parma, prince presumptive, who was at once son-in-law and nephew of the ruling monarchs."

It has been said that Napoleon coerced Charles IV into making the retrocession. However that may have been, the offer of him and Talleyrand was accepted, the State of Tuscany was chosen, and on October 1, 1800, the secret Treaty of San Ildefonso was concluded. So well was the secret guarded that the exchange was not known in the United States until nearly eight months later. The Treaty of San Ildefonso was confirmed by the Treaty of Madrid on March 21, 1801. A copy of the latter treaty was sent to President Jefferson by Rufus King, then the United States minister to England. It reached Mr. Jefferson on May 26, 1801. Upon receipt of this copy the President wrote to James Monroe: "There is considerable reason to apprehend that Spain cedes Louisiana and the Floridas to France. To my mind this policy is very unwise for both France and Spain, and very ominous to us."

In August, 1801, Robert R. Livingston went to France as the United States minister. Immediately upon his arrival in Paris he asked Talleyrand, then the French prime minister, if the Province of Louisiana had been retroceded to France. Talleyrand denied that such was the case. In one sense he was justified in making the denial, as the Treaty of Madrid was not signed by Charles IV until in October, 1802.

JEFFERSON'S DIPLOMACY

For more than twelve months after President Jefferson received the copy of the Treaty of Madrid sent by Mr. King, his administration was kept in a state of uncertainty regarding the status of Louisiana and the navigation of the Mississippi River. On April 18, 1802, he wrote a long letter to Mr. Livingston, in Paris, in which he said the American people were anxiously watching France's movements with regard to Louisiana, and set forth the situation as follows: 1. The natural feeling of the American people for the French nation was one of friendship. 2. Whatever nation held New Orleans and controlled the lower course of the Mississippi became the natural and habitual enemy of American progress and commerce, and therefore the enemy of the American people. 3. Spain had shown that she was well disposed toward the United States and as long as she remained in possession of those advantages the citizens of this country would be satisfied with conditions. 4. On the other hand, France possessed an energy and restlessness of character which would be the cause of constant friction between that country and the United States. He closed his letter by saying:

"The day that France takes possession of New Orleans fixes the sentence which is to restrain her forever within her low water mark. It seals the union of two nations who in conjunction can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation. * * * The first cannon which shall be fired in Europe will be the signal for tearing up any settlement she may have made, and for holding the two continents of America in sequestration for the common purpose of the united British and American nations."

Mr. Jefferson did not desire an alliance with England, but greatly feared the possession of Louisiana by France might drive the United States to adopt such a course. On October 16, 1802, Morales, the Spanish intendant at New Orleans, issued a decree in which he said: "Considering that the 22nd article of the said treaty (treaty of October 27, 1795), takes from me the power of continuing the toleration which necessity required; since, after the fulfillment of said term of three years, this ministry can no longer consent to it without an express order of the King; in proper time, I order, that from this date, the privilege which the Americans had of importing and depositing their merchandise and effects in this capital shall be interdicted."

News of this action on the part of Morales reached Washington the following month. Immediately the country—particularly the new settlements in the Mississippi and Ohio valleys—was ablaze with indignation. So great was the storm of protest that an order came from Madrid early in 1803 to restore the privilege. While this was going on, the federalists, Jefferson's political opponents, used all possible means to force the administration into a policy which would give them a partisan advantage, but their efforts in this direction failed. Says Channing: "Never in all his long and varied career did Jefferson's foxlike discretion stand him in better stead. Instead of following public clamor, he calmly formulated a policy and carried it through to a most successful termination."

NEGOTIATIONS

In his message to Congress at the opening of the session in December, 1802, the President said the change in the ownership of Louisiana would necessarily make a change in our foreign relations, but did not intimate what the nature of that change was to be. On January 13, 1803, he wrote to James Monroe that the federalists were trying to force the country into war, in order to get into power. About the same time he wrote to Mr. Livingston that if France considered Louisiana indispensable to her interests, she might still be willing to cede to the United States the Island of Orleans, upon which stands the City of New Orleans, and the Floridas. Or, if unwilling to cede the island, she might be induced to grant the right of deposit at New Orleans and the free navigation of the Mississippi, as it had been under the Spanish regime, and instructed him to open negotiations to that end.

A few days later, believing the cession could probable be more easily accomplished by sending a man direct from the United States for that purpose, the President selected James Monroe to act as minister plenipotentiary, to cooperate with Mr. Livingston. The Senate promptly confirmed Mr. Monroe's nomination and placed the sum of $2,000,000 at the disposal of him and Mr. Livingston to pay for the island. It may be well to note, in this connection, that the success of Livingston and Monroe in their negotiations was doubtless aided in no small degree by a letter written by M. Pichon, the French minister in the United States, to Talleyrand. In this letter Pichon advised the French prime minister that the people of the United States were thoroughly aroused over the suspension of the right of deposit, and that the President might be forced by public opinion to yield to a British alliance.

War between France and England had just been renewed. Napoleon, realizing the superior strength of the British navy, saw that it would be a difficult matter to hold Louisiana in the face of an alliance between that country and the United States. A force under General Victor was ready to start for New Orleans, but when Napoleon learned that an English fleet was lying in wait for its departure, he countermanded the order for General Victor to sail.

In the meantime Mr. Livingston had been trying to hasten the negotiations that would bring about the cession of the Island of Orleans and West Florida. At that time it was believed that the Floridas were included in the Treaty of San Ildefonso. On April 11, 1803, Napoleon placed the entire matter of the cession of the islands in the hands of the Marquis de Marbois, minister of the French treasury, and the same day Talleyrand startled Mr. Livingston by asking if the United States would not like to own the entire province. Livingston replied in the negative, when Talleyrand explained that Louisiana would be worthless to France without the Island and City of New Orleans. He insisted that Livingston should make an offer for the whole of Louisiana, intimating that it would not cost much more than the Island of Orleans, which America was so anxious to obtain. Another conference was held on the morning of the 12th, and that afternoon Monroe arrived in Paris. A long consultation was held at once by the two Americans. Mr. Livingston informed Monroe of all that had been done and the result was it was agreed that Livingston should conduct all further negotiations.

Several days were then spent in discussing terms for the purchase of the whole territory of Louisiana. Marbois at first asked for the province the sum of 125,000,000 francs, though it was afterward learned that Napoleon had instructed him to accept 50,000,000 rather than allow the deal to fail. The price finally agreed upon was 80,000,000 francs, of which 60,000,000 were to be paid directly to France and the remainder was to be used in settling claims of American citizens against the French Government. An agreement having been reached, the next step was to embody them in a formal treaty. As this purchase gave to the United States a territory of nearly nine hundred thousand square miles, in which was included the present State of Arkansas, the agreement is here given in full. It is known as

THE TREATY OF PARIS

"The President of the United States of America and the First Consul of the French Republic, in the name of the French people, desiring to remove all sources of misunderstanding relative to objects of discussion mentioned in the second and fifth articles of the convention of the 8th Vendemaire, an 9 (30 September, 1800), relative to the rights claimed by the United States, in virtue of the treaty concluded at Madrid, the 27th of October, 1795, between his Catholic Majesty and the said United States, and willing to strengthen the union and friendship which at the time of said convention was happily reestablished between two nations, have respectfully named their plenipotentiaries, to wit: The President of the United States of America, by and with the advice and consent of the Senate of said states, Robert R. Livingston, minister plenipotentiary of the United States, and James Monroe, minister plenipotentiary and envoy extraordinary of the said states, near the Government of the French Republic; and the First Consul, in the name of the French people, the French citizen, Barbe Marbois, minister of the public treasury, who, after having respectfully exchanged their full powers, have agreed to the following articles:

"Article I—Whereas, by the article the third of the treaty concluded at St. Ildefonso, the 9th Vendemaire an 9 (October 1, 1800), between the First Consul of the French Republic and his Catholic Majesty, it was agreed as follows: His Catholic Majesty promises and engages on his part to retrocede to the French Republic, six months after the full and entire execution of the conditions and stipulations herein relative to his royal highness, the duke of Parma, the colony or province of Louisiana, with the same extent that it now has in the hands of Spain, and that it had when France possessed it; and such as it should be after the treaties subsequently entered into between Spain and other states, and

"Whereas, in pursuance of the treaty, particularly of the third article, the French Republic has an incontestible title to the domain and possession of said territory; the First Consul of the French Republic, desiring to give to the United States a strong proof of his friendship, doth hereby cede to the United States, in the name of the French Republic, forever, and in full sovereignty, the said territory, with all its rights and appurtenances, as fully and in the same man-

ner as they have been acquired by the French Republic in virtue of the above mentioned treaty, concluded with his Catholic Majesty.

"Article II—In the cession made in the preceding article, are included the adjacent islands belonging to Louisiana, all public lots and squares, vacant lands, and all public buildings, fortifications, barracks and other edifices which are not private property. The archives, papers and documents relative to the domain and sovereignty of Louisiana and its dependencies will be left in the possession of the commissioners of the United States, and copies will be afterward given in due form to the magistrates and municipal officers of such of said papers and documents as may be necessary to them.

"Article III—The inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States; and in the meantime they shall be maintained and protected in the free enjoyment of their liberty, property and the religion which they profess.

"Article IV—There shall be sent by the Government of France a commissary to Louisiana, to the end that he do every act necessary, as well to receive from the officers of his Catholic Majesty the said country and its dependencies in the name of the French Republic, if it has not already been done, as to transmit it in the name of the French Republic to the commissary or agent of the United States.

"Article V—Immediately after the ratification of the present treaty by the President of the United States, and in case that of the First Consul shall have been previously obtained, the commissary of the French Republic shall remit all the military posts of New Orleans and other posts of the ceded territory, to the commissary or commissaries named by the President of the United States to take possession; the troops, whether of France or Spain, who may be there, shall cease to occupy any military posts from the time of taking possession, and shall be embarked as soon as possible, in the course of three months after the ratification of this treaty.

"Article VI—The United States promises to execute such treaties and articles as may have been agreed between Spain and the tribes and nations of Indians, until by mutual consent of the United States and the said tribes or nations, other suitable articles shall have been agreed upon.

"Article VII—As it is reciprocally advantageous to the commerce of France and the United States to encourage the communication of both nations, for a limited time, in the country ceded by the present treaty, until general arrangements relative to the commerce of both nations may be agreed upon, it has been agreed between the contracting parties, that the French ships coming directly from France or any of her colonies, loaded only with the produce of France or her said colonies, and the ships of Spain coming directly from Spain or any of her colonies, loaded only with the produce or manufactures of Spain or her colonies, shall be admitted during the space of twelve years, in the ports of New Orleans, and all other ports of entry within the ceded territory, in the same manner as the ships of the United States coming directly from France or Spain, or any of their colonies, without being subject to any

other or greater duty on merchandise, or other greater tonnage than those paid by citizens of the United States.

"During the space of time above mentioned, no other nation shall have a right to the same privileges in the ports of the ceded territory; the twelve years shall commence three months after the exchange of ratifications, if it shall take place in France, or three months after it shall have been notified at Paris to the French Government, if it shall take place in the United States; it is, however, well understood that the object of this article is to favor the manufactures, commerce, freight and navigation of France and Spain, so far as relates to the importations that the French and Spanish shall make into the ports of the United States, without in any sort affecting the regulations that the United States may make concerning the exportation of the produce and merchandise of the United States, or any right they may have to make such regulations.

"Article VIII—In future, and forever after the expiration of the twelve years, the ships of France shall be treated upon the footing of the most favored nations in the ports above mentioned.

"Article IX—The particular convention signed this day by the respective ministers, having for its objects to provide for the payment of debts due to the citizens of the United States by the French Republic prior to the 30th day of September, 1800 (8th Vendemaire an 9), is approved and to have its execution in the same manner as if it had been inserted in the present treaty, and it shall be ratified in the same form and at the same time, so that one shall not be ratified distinct from the other.

"Another particular convention signed at the same time as the present treaty, relative to a definite rule between the contracting parties, is in like manner approved and will be ratified in the same form and at the same time, and jointly.

"Article X—The present treaty shall be ratified in good and due form, and the ratification shall be exchanged in the space of six months after the date of the signatures of the ministers plenipotentiary, or sooner if possible. In faith whereof, the respective plenipotentiaries have signed these articles in the French and English languages, declaring nevertheless that the present treaty was originally agreed to in the French language; and have thereunto set their seals.

"Done at Paris, the tenth day of Floreal, in the eleventh year of the French Republic, and the 30th April, 1803.

"Robert R. Livingston (L. S.),
"James Monroe (L. S.),
"Barbe Marbois (L. S.)."

The first of the "particular conventions," referred to in article nine of the treaty, prescribed the manner in which the debts due the citizens of the United States should be discharged. The second provided for the creation of a stock by the United States Government of $11,250,000, bearing interest at the rate of 6 per cent per annum, payable in Paris, London or Amsterdam. The original cost of the entire territory ceded by the treaty was about three cents an acre, but John Bach McMaster, in his history of the transaction, says: "Up to June 20, 1880, the total cost of Louisiana was $27,267,621." The "purchase"

embraced the present states of Louisiana, Arkansas, Oklahoma, Missouri, Iowa, Nebraska, North and South Dakota, nearly all of Kansas, that part of Colorado, Wyoming and Montana east of the continental divide, and all of Minnesota west of the Mississippi River and a line drawn from its source to the international boundary. In 1918 the assessed valuation of property in those states was over fifteen billion dollars.

RATIFICATION

Livingston and Monroe were instructed to obtain by purchase or otherwise the Island of Orleans and the free navigation of the Mississippi River. In concluding a treaty involving the purchase of the entire province, there is no question that they exceeded their authority. For a time President Jefferson held the view that an amendment to the Federal Constitution (an "act of indemnity" he called it) would be necessary to legalize the transaction. But when he saw how generally the American people approved the purchase he abandoned the idea. On October 17, 1803, he sent to Congress a message relating to the purchase. In this message he said:

"The enlightened Government of France saw, with just discernment, the importance to both nations of such liberal arrangement as might best and permanently promote the peace, interests and friendship of both; and the property and sovereignty of Louisiana, which had been restored, to them, have, on certain conditions, been transferred to the United States by instruments bearing date the 30th of April last. When these shall have received the constitutional sanction of the Senate, they will be communicated to the representatives for the exercise of their functions, as to those conditions which are within the powers vested by the Constitution in Congress."

Congress lost no time in ratifying the treaty. On October 20th, three days after the President's message on the subject, the Senate gave its sanction to the treaty, with all the conditions it imposed, and five days later it was approved by the House. On the last day of the month the President approved measures providing for the creation of the stock of $11,250,000 for the payment of the province, and authorizing him to "take possession of Louisiana and form a temporary government therein."

TAKING POSSESSION

In accordance with Article IV of the treaty and the act of October 31, President Jefferson appointed Gen. James Wilkinson and William C. C. Claiborne, then governor of Mississippi Territory, commissioners to receive the transfer of Louisiana from Pierre Clemant Laussat, the French commissary. On November 30, 1803, the Marquis de Casa Calvo, as the representative of the Spanish Government, transferred the province to Laussat, who on December 20, 1803, transferred it to Wilkinson and Claiborne. Then the Stars and Stripes were raised in New Orleans for the first time, in token of the sovereignty of the United States over the territory west of the Mississippi River. Thus the domain of the United States was extended westward to the summit of the Rocky Mountains and Arkansas became a part of the American Republic.

The President appointed William C. C. Claiborne governor of Louisiana at the same time he was named as one of the commissioners to receive the transfer of the province. Immediately after the ceremony of the transfer, the new executive issued an address to the people of Louisiana, assuring them of the inheritance of freedom under the United States, the security of their property and religious liberty.

Although the transfer of Louisiana to the United States was made on December 20, 1803, the actual exercise of authority over the upper or northern part of the province, which included Arkansas, did not begin until March 10, 1804. On that day Maj. Amos Stoddard, of the United States Army, assumed the duties of governor of Upper Louisiana at St. Louis. In his "Historical Sketches of Louisiana," Major Stoddard says:

"The ceremony of transfer (from Spain to France) occurred between the hours of 11 A. M. and 12 M., March 9, 1804. The Spanish flag was lowered and the standard of France was run up in its place. The people, although conscious that the sovereignty of France was being resumed but for a moment and simply as a necessary formality in the final transfer, nevertheless could not restrain their joy at seeing float over them once more the standard which even forty years of the mild sway of Spain had not estranged from their memory. So deep was the feeling that, when the customary hour came for lowering the flag, the people besought me to let it remain up all night. The request was granted and the flag of France floated until the next morning over the city from which it was about to be withdrawn forever. At the appointed time on the next day, March 10, 1804, the ceremony of transfer from France to the United States was enacted. The flag of the French Republic was withdrawn and the Stars and Stripes waved for the first time in the future metropolis of the Valley of the Mississippi. Thus St. Louis became perhaps the only city in history which has seen the flags of three nations float over it in token of sovereignty within the space of twenty-four hours.

DIVIDING THE PROVINCE

On March 26, 1804, President Jefferson approved an act of Congress dividing Louisiana into two parts, viz: The Territory of Orleans and the District of Louisiana. The former embraced what is now the State of Louisiana and the latter included all the remainder of the purchase. Under the provisions of this act the District of Louisiana was made subject to the territorial government of Indiana, of which Gen. William Henry Harrison was then governor. Some historians state that by this act all of Upper Louisiana, which included the present State of Arkansas, was made a part of the Territory of Indiana. This is a mistake. The act merely regarded the District of Louisiana, or Upper Louisiana, as it was commonly called, as unorganized territory, and attached it to Indiana for judicial purposes, etc. About a year later another arrangement was made. The name of the District of Louisiana was changed to the Territory of Louisiana and the President was authorized to appoint officers therefor. A history of this change, which marked the beginning of civil government in Upper Louisiana by the United States, is given in Chapter VIII.

CHAPTER VII

FRENCH AND SPANISH LAND GRANTS

FIRST LAND GRANT IN ARKANSAS—JOHN LAW'S GRANT—FRENCH GRANTS ELSEWHERE —THE SPANISH SYSTEM—CHARACTER OF SPANISH GOVERNORS—UNDER THE UNITED STATES—ACT OF MARCH 26, 1804—COMMISSIONERS APPOINTED—JEAN FILHIOL'S CLAIMS—THE MORGAN GRANT—THE MAISON ROUGE GRANT—THE WINTER GRANT—CLAIMS ALLOWED BY THE RECORDER—GRANT TO JOSEPH VALLIERE—THE VILLEMONT GRANT—WHITE'S COMPILATION OF FRENCH AND SPANISH LAWS—THE BASTROP GRANT.

By the letters patent issued by Louis XIV on May 12, 1678, to Robert Cavelier, Sieur de la Salle, the recipient was given power to grant lands to loyal subjects for the purpose of forming colonies, or for services rendered. Under this authority, La Salle, in the spring of 1682, granted to his lieutenant, Henri de Tonti, a large tract of land on the Arkansas River. It was Tonti's intention to establish a seigneury there, but affairs in the Illinois country demanded his attention and he was unable to carry out the project. This was the first grant or concession of land in what is now the State of Arkansas.

John Law, the founder of the Western Company, received a grant in 1718 to a large tract of land on the Arkansas River. An account of this grant has been given in an earlier chapter. So far as the writer has been able to ascertain, the grants to Tonti and Law were the only ones within the present limits of the state made during the French occupation of Louisiana. Tonti died in Mobile in 1704, without perfecting his title, and Law's claim was abandoned after his financial failure in 1720.

FRENCH GRANTS ELSEWHERE

In order to show the difference between the French and Spanish methods of granting lands, it may be worth while to notice a few of the French concessions east of the Mississippi. Philip Francois Renault received several tracts of land from the French crown in 1719. In each instance the grant was made a matter of record. Renault founded the Town of St. Philippi, Illinois, planted settlements near Peoria, Illinois, and St. Genevieve, Missouri. In each of these localities he disposed of lands and no question was ever raised regarding the validity of title after the United States came into possession.

Fort Chartres, at the mouth of the Kaskaskia River, was built by Pierre Dugue de Boisbriant in 1720. About five years later he received from the Western Company a large grant of land near the fort, the action being confirmed by the French Government. Boisbriant afterward transferred the land to his nephew (Langlois), who maintained a seigneury there until after the

Revolutionary war. The land was then subdivided and sold to individuals, whose titles were never contested.

In like manner, the Jesuit plantation, near Kaskaskia, was upon a grant received from the French crown. It was occupied by members of the order for many years. They cultivated the soil, planted an orchard, raised live stock and operated a brewery. About 1780 they sold the land to a Frenchman named Beauvais, who disposed of it to various persons. The purchasers were never molested in their possession. In fact, many of the land titles of the present day, in the old French settlements, are based upon the original grants.

THE SPANISH SYSTEM

With the Spanish it was different. No written contract or deed was considered necessary to establish title to land. In some cases a written petition was submitted by the person asking a grant of land, and this petition, bearing the indorsement of the proper official, was often the only record of the transaction. Transfers of real estate were made the same as transfers of personal property—the consideration was accepted and the purchaser was placed in possession. This completed the deal. The Spanish had no probate courts to settle estates. When a man died, his heirs, creditors and other interested parties assembled at the parish church, where the estate was settled according to the recommendations of the parish priest. After the Spanish came into possession of Louisiana, the French inhabitants adopted Spanish customs. It is not surprising that, under such a loose system, titles should become a matter of dispute.

The Spanish governors were usually petty tyrants, who looked upon their official position as a means of personal aggrandizement. With them the welfare of the province, as well as the interests of the Spanish Government, was a matter of secondary consideration. Vested with almost unlimited power, they used that power to enrich themselves. Oppressive regulations were made to shackle the commerce of the province. No one could engage in the mercantile business, even on the smallest scale, without a license, and these licenses were sold at the most exorbitant prices. If a foreigner came into the colony and offered goods for sale, he was certain to be cast into prison and his goods were confiscated. Licenses, grants of land, even the most common privileges could be obtained from most of these governors only by bribery. They were adepts in what is known in our day as "graft."

Christian Schultz, in his "Inland Voyage," relates an instance where the commandant of a small fort near St. Genevieve was ordered to make certain repairs. When the work was completed the commandant presented to the governor a bill for $421. The governor looked at it and informed the commandant it was incorrect. The latter, thinking he might have made a mistake in his addition, looked over the bill carefully, but could find no error. Again he presented it to the governor, who advised him to consult a certain man. When the commandant presented the bill to this man, he received it with a laugh and added a cipher, making the amount $4,210. With the amended bill the commandant again went to the governor, who looked it over and merely remarked: "It is not quite right yet." Another consultation with the same

man resulted in the addition of another cipher, increasing the cost of the repairs to $42,100. Then the governor accepted it, forwarded it to Madrid and received the money, of which the commandant who had made the repairs received his $421, the governor pocketing the balance.

UNDER THE UNITED STATES

In the purchase of Louisiana, the United States, in present day parlance, "bought a lawsuit." Thwaites, in his "Early Western Travels" (vol. xiv, p. 138), says: "The grants of land in Louisiana under Spanish rule were in a marked degree irregular and heterogeneous. Only those were complete which had received endorsement by the governor-general at New Orleans. Most of the settlers were too poor to undertake the journey thither and pay the required fees; a tacit right of occupation was therefore permitted by the local officials, lands were unsurveyed, and much confusion resulted. During the last decade of Spanish authority (1794-1804) large numbers of Americans had been tempted to cross the Mississippi and stake out claims in Upper Louisiana. Some of these were bona fide settlers, more mere speculators; and after the rumor of Spanish cession to France was heard, fraudulent grants were made in large numbers."

From the close of the Revolutionary war to the transfer of Louisiana to the United States, the Spanish officials and post commandants in the province had assiduously cultivated a sentiment in opposition to the new republic. The people were told that they would be deprived of their lands in the event the United States ever came into possession of the country west of the Mississippi. When, on December 20, 1803, the inhabitants of New Orleans saw, for the first time, the flag of the country they had been taught to hate floating over their city, they were greatly excited and ready to revolt. Such was the state of affairs when the United States received Louisiana from France.

President Jefferson and the Congress immediately took steps to allay the fears of the people, assuring them that they would not be disturbed in their rightful possessions, and that they should enjoy all the rights, privileges and immunities of citizens.

It soon became apparent, however, that something would have to be done to settle the question of land titles in the new purchase. Not only did the Spanish authorities at New Orleans continue to make grants of land after the conclusion of the Treaty of San Ildefonso; they also made a number of grants between April 30 and December 20, 1803, after the province was ceded to the United States by the Treaty of Paris, but before the formal transfer. In this work Juan Ventura Morales, the Spanish intendant at New Orleans, was particularly active. After the Treaty of Madrid (October 27, 1795), by which Spain relinquished to the United States the country east of the Mississippi and north of 31° north latitude, Morales continued to dispose of lands in the ceded territory. He adopted the same policy after the Treaty of Paris (April 30, 1803), with regard to the lands west of the Mississippi. His object was to alienate as much of the land as possible, thereby involving the United States in an endless chain of litigation at great expense. Perrin du Lac says of Morales: "He is a man of low extraction, evil by nature. He bears to excess

his hatred of the French, whom he injures for the pleasure of injuring. He has made his fortune out of his office and is sunk in vice."

Under date of March 19, 1804, M. Pichon, the French minister to the United States, wrote to Talleyrand: "The bill to organize the government of Louisiana is always being discussed in the House of Representatives. Lately it has been proposed to add a very important clause to it. This clause has as its object to declare null concessions made by the Spanish authorities in Upper Louisiana subsequent to the treaty of San Ildefonso, which retroceded that colony to us. It appears that after that treaty, and even after that between us and the United States, the Spanish agents have made concessions, or rather considerable sales of land, and that in the uncertainty of the fate of West Florida, they have also made immense sales in that province. It will not be easy to execute the resumption in Upper Louisiana. There are a great number of Americans in that territory whom Spain attracted thither by the bait of concessions fifteen or twenty years ago, and who will have profited by the facility of the moment to acquire land for but little. Many adventurers from the east bank will also have made purchases, and in those wildernesses possession is a title that the law cannot easily contest."

This letter has been introduced here to show the opinion of an impartial observer as to the enormity of the problem that confronted Congress. By the act of March 26, 1804, Congress revoked all grants made after the conclusion of the Treaty of San Ildefonso. This law created much dissatisfaction, both in the Territory and District of Louisiana. Petitions for redress were sent from St. Louis and New Orleans, bearing the names of a large number of those who had received lands from the Spanish authorities. On March 2, 1805, President Jefferson approved an act authorizing him to appoint three commissioners to receive complaints, hear testimony and adjust titles. He appointed John B. C. Lucas, Clement B. Penrose and Edward Bates. This commission held its first meeting in St. Louis on September 20, 1806. Lucas and Penrose understood the French language and won, to a certain degree, the confidence of the French inhabitants.

The commission continued in existence for more than six years, making its final report in 1812. In the course of their investigations, the commissioners discovered that, in a few instances, lands were held by grants from the crown, but mostly from the colonial government. Not more than one-fourth of the lands in Louisiana were held by a complete title. Of the other three-fourths, a considerable part depended upon the written permission of a local commandant. In many instances lands were held by occupancy upon the commandant's verbal permission. This practice was inaugurated by the colonial government and countenanced by Spain, "in order that poor men, when they found themselves a little more at ease, might at their own convenience apply for a complete title. In the meantime these imperfect rights were suffered by the government to descend by inheritance, and even to be transferred by private transaction."

The complete reports of the commission fill several large volumes of the Public Land series of the "American State Papers." Hundreds of complaints were heard, practically every land grant made during the Spanish regime was investigated, and Congress and the General Land Office accepted the recom-

mendations of the commission without question. Quite a number of disappointed claimants appealed to the courts, but in almost every case the decision of the commission was sustained. It would be impossible to give in one chapter a history of every French and Spanish land grant. A few of the most noted typical cases are given as illustrating the manner of making grants and the difficulty encountered by the United States in adjusting titles.

JEAN FILHIOL'S CLAIMS

During Governor Miro's administration, Jean Filhiol received several grants of land. The first was made on June 29, 1785, when he was commissioned commandant of the District of Ouachita. This grant consisted of a tract "ten arpents front on both sides of the River Ouachita, at the Prairie des Canots, by the ordinary depth of forty arpents, equal to 677 American acres."

Some years later Filhiol laid claim to the land where the City of Hot Springs is now situated, alleging it had been granted to him by Governor Miro in 1787. About the time the United States came into possession of Louisiana, Filhiol, in order to strengthen his claim, transferred the land to Narcisso Bourgeat, who a little later sold it back to Filhiol. The commissioners appointed in 1805 found the evidence of title insufficient and recommended that the grant be not confirmed. Upon this finding the Government refused to issue a patent.

Grammont Filhiol, a son of the original grantee, assigned the claim to a speculator named William Ball. In 1829 Ball began proceedings in the Federal courts to obtain title to and possession of the land. Then the Spanish records at St. Louis and New Orleans were carefully examined, but not a line could be found to indicate that Governor Miro had really granted the land to Jean Filhiol. At the hearing James McLaughlin, a surveyor and himself a land claimant, testified that he had been a resident of the Ouachita District since 1793; that he had served as a surveyor under the Spanish colonial government; and that to his personal knowledge the lands in question had never been regularly granted to anyone by the Spanish authorities. He further testified that the entire scheme to obtain possession of the springs was planned by Vincent F. Texeiro, Filhiol's successor as commandant of the district. When news of the cession of Louisiana to the United States by France reached Texeiro, he conceived the idea of making a record of conveyances dating back to 1787, hoping that the United States would not question the accuracy of such record. McLaughlin stated that he was present when a document purporting to be a grant from Governor Miro was drawn, and that this was done in the summer of 1803. Then a deed bearing date of November 25, 1803, conveyed the land from Jean Filhiol to Narcisso Bourgeat, and another of a little later date reconveyed the land to Filhiol.

Upon McLaughlin's testimony and the failure to find anything in the archives to show that the land had been granted by the proper authorities, the court decided that Ball had no legal title. Through newspaper articles, continued over a period of several years, Grammont Filhiol tried to create a sentiment in favor of his claim, but the courts refused to grant another hearing. In this litigation Samuel C. Roane, then United States attorney for the Territory of Arkansas, played a prominent part.

THE MORGAN GRANT

In September, 1787, Col. George Morgan applied to the Spanish minister, Don Diego de Gardoqui, whose headquarters were in New York, for a grant of land "at or near the mouth of the Ohio River." In his communication to Gardoqui, Morgan stated that it was his intention to plant a colony upon the grant, where the people would be given freedom of religion and the right of local self-government. Gardoqui was greatly interested in such a plan. He made Morgan a conditional grant extending from the mouth of the St. Francis River northward to Cape Cinque Hommes, in what is now Perry County, Missouri, and westward a distance of two degrees from the Mississippi River. The total extent of the grant was about fifteen million acres. In making this grant Gardoqui wrote to Morgan as follows:

"As you seem anxious not to lose any time, I forthwith transmit a passport and letter for the Spanish authorities, so that you may go at once, examine the territory in which you contemplate making your settlement. On your arrival in New Orleans you will act in concert with the governor, who will give you all the facilities you desire, and in your progress through the West, on the way to the capital of Louisiana, you will assure the inhabitants of his Majesty's desire to grant them all the favors and privileges which may secure their prosperity."

Morgan was a native of New Jersey and in 1776 was appointed western Indian agent by the Continental Congress. He held that position until after the close of the Revolutionary war. A few years later he became mildly identified with the Spanish intrigue to separate the western settlements in Kentucky and Tennessee from the Union. Upon receipt of the above letter from Gardoqui, he organized a party to explore the country included in his grant. He laid out the Town of New Madrid and did not reach New Orleans until the spring of 1789. Instead of finding Governor Miro willing to further his project, he found exactly the reverse. Miro resented the action of Gardoqui as a trespass upon his own prerogatives and wrote to Madrid recommending that the grant be refused. Morgan returned to New Jersey and on August 20, 1789, wrote a long letter to Gardoqui, in which he said:

"I wish, sir, to be candid, but not to give offense. The trust reposed in me, and the importance of my undertaking to the King's service, however, induce me to say that I do not believe his Excellency, Governor Miro, is possessed of the necessary ideas respecting the object his Majesty has in view; and his warmth of temper and passions prevent his obtaining the knowledge and information requisite to his station. * * * It is scarcely possible for you to conceive the warmth of resentment with which he expressed himself on your having listened to my propositions at any rate, for he did not understand them; nor did he condescend to ask a single explanation of them."

Although Miro refused to confirm the grant made by Gardoqui, or to recommend its confirmation by the court at Madrid, he gave Morgan permission to settle as many colonists as he could in Louisiana, and promised him that he should be rewarded in proportion to the number of actual settlers brought into the province through his influence. This was not satisfactory to Morgan, who abandoned his undertaking. Those who accompanied him and

settled at New Madrid afterward received lands to pay them for their labors in laying out the town, etc. Had the Morgan grant been properly confirmed, it would have embraced a large area in the northeastern part of Arkansas.

THE MAISON ROUGE GRANT

This was one of the few Spanish grants, the legality of which was confirmed by the United States. On March 17, 1795, Governor Carondelet entered into a contract with the Marquis de Maison Rouge "to bring into these provinces thirty families, who are also emigrants, and who are to descend the Ohio, for the purpose of forming an establishment with them on the lands bordering upon the Washita, designed principally for the culture of wheat, and the erection of mills for manufacturing flour, under the following conditions:

"1st. We offer, in the name of his Catholic Majesty, whom God preserve, to pay out of the Royal Treasury, two hundred dollars to every family composed of two white persons fit for agriculture, or for arts useful and necessary to this establishment, as house or ship carpenters, blacksmiths and locksmiths; and four hundred to those having four laborers; and, in the same way, one hundred to those having no more than one useful laborer or artificer, as before described, with his family.

"2nd. At the same time we promise, under the auspices of our sovereign monarch, to assist them forward from New Madrid to Washita, with a skilful guide, and the provisions necessary for them, till their arrival at their place of destination.

"3d. The expenses of transportation of their baggage and implements of labor, which shall come by sea to this capital, shall be paid on account of the royal domains, and they shall be taken on the same account from this place to Washita, provided, that the weight shall not exceed three thousand pounds for each family.

"4th. There shall be granted to every family containing two white persons fit for agriculture, ten arpents of land, extending back forty arpents, and increasing in the same proportion to those which shall contain a greater number of white cultivators.

"5th. Lastly, it shall be permitted to the families to bring or cause to come with them, European servants, who shall bind themselves to their service for six or more years, under the express condition, that if they have families, they shall have a right, after their term of service is expired, to receive grants of land, proportioned, in the same manner, to their numbers. Thus we promise, as we have here stated; and that it may come to the knowledge of those families which propose to transport themselves thither, we sign the present contract with the aforesaid Senor Marquis de Maison Rouge, to whom, that it may be made plain, a certified copy shall be furnished."

This contract was forwarded to Madrid and was approved by the king on July 14, 1795. The Marquis carried out his part of the agreement and received a grant of "thirty superficial leagues" as his reward. This land was surveyed in June, 1797, by Carlos Trudeau, surveyor-general of Louisiana, under orders from Governor Carondelet, and upon the completion of the survey made the following report:

"I, Carlos Trudeau, surveyor-general, &c., certify to have measured, in favor of Marquis de Maison Rouge, the several tracts of land represented in those parts of the plat shaded with vermilion, which may contain thirty superficial leagues, to wit:

"No. 1, on the right bank of the Washita River, to be taken five arpens below the mouth of the Bayou de la Cheniere au Toudre, and thence descending to the bayou Calumet, with a corresponding depth to complete 140,000 superficial arpents.

"No. 2, on the left bank of the same river, commencing two leagues below Fort Miro, and at the point called Laine, and extending one league below Prairie de Lee, with a corresponding depth to complete 60,000 superficial arpents.

"No. 3, to be taken in front of Bayou Loutre, and thence on a line south 75 degrees east to the Bayou de Siar, which line to the Bayou de Siar, the Bayou Bartelemy and the River Washita, are to include the tract No. 3.

"No. 4, on the right bank of the Washita River, to be taken in front of the entry of Bayou Bartelemy, thence descending the river to Bayou la Loutre, with such depth as that tracts Nos. 3 and 4 shall include the quantity of 8,344 superficial arpents, which, added to the first two tracts, makes a total of 208,344 superficial arpents, equal to the above said thirty leagues, at the rate of 2,500 toises for the side of a league, the land measure in this province," etc.

Several writers assert that the City of Camden, Arkansas, the county seat of Ouachita County, is located on the Maison Rouge grant. This statement is not sustained by the original records. The grant was before the commission in December, 1812, and by the act of April 29, 1816, titles to all private grants within the thirty leagues, not exceeding one league square, were confirmed. All this occurred while Arkansas was a part of Missouri Territory. In December, 1820, nearly two years after Arkansas Territory was created, the question of titles in the Maison Rouge grant was again before Congress. On January 12, 1832, Mr. Bullard, of the committee on private land claims, reported a bill in the House of Representatives to confirm all titles to lands within the grant, and upon the passage of the bill the validity of the original grant was established. In all these proceedings the lands are referred to as being "in the State of Louisiana." No mention of either Missouri or Arkansas appears anywhere in the proceedings. Moreover, the plat of the grant, as prepared by Carlos Trudeau, is given in Volume II, Public Land Series, American State Papers. It shows the four tracts surveyed by him so plainly that a little study of the plat confirms the belief that the grant lay entirely within the State of Louisiana. The northern part of tract No. 4 may have touched the southern boundary of Arkansas, but if it did it was in the extreme southeastern corner of Union County, more than fifty miles from Camden.

THE WINTER GRANT

On June 27, 1797, Governor Carondelet granted lands to Elisha Winter and others as follows: To Elisha Winter, 1,000 arpens square; to Gabriel Winter, 500 arpens square; to William Winter, 500 arpens square; to Walter Carr, William Huble, John Price, Richard Price, Samuel Price, William Russell and Joseph Stillwell, each a tract of fifteen arpents in front by the usual depth

of forty arpents back, "under the express provision that they shall forthwith be established and their lands surveyed." The total quantity of land granted the ten men was 1,504,200 arpents, described as being situated in the district of Arkansas."

Gabriel and William Winter were sons of Elisha. Father and sons selected their lands about two and a half miles northwest of Arkansas Post, on the east side of the Grand Prairie. A crossing on the Post Bayou was known for many years as "Winter's Ford." Joseph Stillwell located his claim about four miles up the Arkansas River from the Post. He was the only one of the ten to perfect a title by settlement and occupancy, afterward obtaining a patent under the homestead laws of the United States.

Probably no Spanish grant within the limits of Arkansas was the cause of so much trouble to the United States authorities as that of the Winters. Their claims came before the board of commissioners three times, first on June 18, 1808, again on July 19, 1811, and the third time on November 20, 1811, and each time the board refused to recommend a confirmation of their title, on the grounds that they had failed to comply with the terms of the grant. On October 7, 1813, Edward Bates, recorder of land titles in Missouri Territory, reported adversely upon their claims. One of his reasons for denying the claim of Gabriel Winter was that he was a minor at the time he received the grant from Governor Carondelet.

In these hearings the evidence of Dón Carlos de Villemont, commandant of the district, and others, showed that the Winters settled upon their lands in the fall of 1797 or the spring of 1798; that Elisha Winter brought from Kentucky a stone to mark the boundary between his land and that of his son William; that Gabriel and William Winter marked the boundaries of their claims by cutting notches in trees, etc. A certificate of Carlos Trudeau, dated October 12, 1798, to the effect that he has surveyed the lands of Elisha, Gabriel and William Winter, was also introduced in evidence, as were the reports of Henry Cassady and Godfrey Jones, deputy United States surveyors. Halliburton, in his "History of Arkansas County," says that William Winter died and was buried on his claim, and that the stone above referred to was brought from Kentucky after his death. The evidence shows that the stone was brought when the lands were first settled and that William Winter lived in Arkansas until 1806, when he left the country.

Failing to obtain a confirmation of title from the commissioners and the recorder of land titles, the matter was taken to Congress, where several measures were introduced in behalf of the claimants. On March 22, 1832, Mr. Plummer, of the committee on public lands, made a minority report and introduced a bill to give the Winters a legal title to their lands. This was the nearest any of the claimants ever came to success. The bill failed to pass and the question was taken to the courts. After considerable delay a decision was handed down in 1848, in the case of the heirs' suit for possession, declaring that the terms of the grant had not been complied with and that it was therefore null and void.

CLAIMS ALLOWED BY THE RECORDER

On June 4, 1812, President Madison approved an act of Congress changing the name of Louisiana Territory to Missouri Territory. With the establishment

of the new territory, a change was made in the matter of land claims based upon Spanish grants. Between June, 1812, and April, 1814, a number of acts were passed by Congress providing for the confirmation or rejection of claims founded on settlement. Arkansas was then a part of Missouri Territory. Edward Bates was appointed recorder of land titles and, by virtue of authority conferred upon him by Congress, passed upon the validity of land titles founded on actual occupation. Most of the claims allowed by him were afterward confirmed by the Federal Government. Mr. Bates heard a large number of claimants in Missouri and Arkansas. The following are typical cases:

William Bailey claimed 760 arpents on Caney Creek, south of the St. Francis River. He proved that he had occupied the land continuously from 1803 to 1813 and was granted 640 acres.

Joseph Bougy and Baptiste Placide claimed 240 arpents below Arkansas Post, on the grounds that they had inhabited and cultivated it occasionally from 1802 to 1812. They were allowed 240 arpents on this claim. The same persons claimed 800 arpents "three or four miles below the Village of Arkansas," having occupied and cultivated the land from 1792 to 1813. On this claim they were awarded 640 acres.

Joseph Deruisseau came to Arkansas in 1792 and settled upon a grant of 800 arpents fronting on the Arkansas River near the village of Arkansas Post. In 1813 he applied to the recorder for a title and was granted 640 acres.

Isaac Foy (sometimes written Fooy) occupied 760 arpents where the Town of Hopefield now stands from 1801 to 1809 or 1810. Part of that time the land was cultivated by a tenant. Mr. Bates recommended that he be granted 640 acres, which was confirmed.

William H. Glass claimed 800 arpents "five or six miles below the mouth of the St. Francis River," stating that he had resided upon the tract since 1803. He was allowed 640 acres.

Francis Imbau presented a claim to 800 arpents on the Arkansas River "near the Little Rock," which he had occupied from 1803 to 1808, and at intervals afterward. He was granted 640 acres.

John B. Imbau claimed 756 arpents on the Arkansas River (the exact location is not specified). He stated that he had occupied the land and cultivated it during the last years of the Spanish rule, after which he resided upon the land continuously until 1814. He received a patent for 640 acres.

Elijah McKenny occupied a tract of 800 arpents at the mouth of the Cache River during the years 1803 and 1804. After that time the land was inhabited and cultivated by tenants until 1813, when he presented his claim to the recorder. He was awarded 640 acres. His brother, William McKenny, claimed 756 arpents seven miles below Hopefield and presented evidence of the same character. He received 640 acres.

Sylvanus Phillips and Silas Bailey presented a claim to 640 acres "on the west side of the St. Francis River, four miles from the mouth and to include the mouth of the second bayou." Their evidence showed that the land had been occupied by tenants since 1803 and they were granted the quantity claimed.

Sylvanus Phillips and Charles Stinson were partners in a claim to a square mile of land on the St. Francis River, a short distance above the mouth. Their

evidence showed that one or both of them had occupied the land in 1803 and 1804, and after that by tenants until 1813, when the claim was filed with the recorder. They were granted 640 acres. Mr. Phillips individually claimed 760 arpents on the Mississippi, a few miles below the mouth of the St. Francis, which tract he had occupied from 1802 to 1813, either personally or by tenant. He received 640 acres.

Madame Francois Vallieur claimed 160 arpents near the Arkansas Village and presented evidence to show that she had occupied the land from 1802 to 1812. She received a clear title to the quantity claimed.

Etienne Vasseau produced evidence to show that he had occupied 800 arpents of land for five years preceding 1812 and claimed the same under a grant from the Spanish authorities. The land was described as "situated on the Arkansas River, two miles below Arkansas Post." He was granted 640 acres, "provided that quantity of land lay within his known and ascertained boundaries."

This list might be continued indefinitely, but enough has been said to show how small private claims were allowed by the recorder. In nearly every instance where he recommended a title the claimant received a patent for his land. Many land titles in Arkansas are based upon the claims thus confirmed. Not all the claimants before the recorder were successful, however. It seems that Mr. Bates looked with disfavor upon the professional speculator—the man who purchased doubtful titles, or took advantage of the poverty of the original claimant to acquire his claim for a small sum—hoping to have his claims allowed by the United States. Among these speculators were Henry and Patrick Cassady, James Ravenscraft and William Russell, each of whom presented claims for several tracts of land. On November 30, 1812, William Russell filed with the recorder the following general notice:

"To Frederick Bates, Esq., Recorder of Land Titles in and for the Territory of Missouri:

"Sir—Please to take notice that, under right derived from the Spanish and French Governments, and the provisions of the several acts of Congress, the undersigned, William Russell, of the Town of St. Louis, claims title to the following tracts and parcels of land, the particulars of which will severally, fully and at large appear, by and from the evidence and testimony which will be adduced in support of the same severally. My chain of titles and conveyances from the several original claimants, I claim the privilege of filing, without being bound to record them at all at the time I adduce the other evidence and testimony in support of the claims severally; and, in case it should be decided that such privilege would be illegal, in that case I claim the said lands to be confirmed or granted to the legal representatives of the several persons who appear from the evidence and testimony to be entitled thereto—which claims are described as follows, to wit: (Then follows the description of 312 parcels of land.)

"In case it should be decided that the undersigned claimant cannot legally, at the time of adducing the parole evidence, file his chain of titles, deeds and original title papers for his benefit, the claims to be confirmed or granted to the persons or legal representatives of the persons who appear from the parole evidence to be lawfully entitled thereto, the undersigned claimant hav-

ing the lawful right to make out his chain of title in a court of law, in all cases where he fails to effect it otherwise.

"WILLIAM RUSSELL."

Of the 312 claims filed with this general notice, only twenty-three were allowed, and in each case the grant was made to the original claimant or his legal representatives. Four of the claims thus allowed and about fifty of those rejected were in what is now the State of Arkansas.

GRANT TO JOSEPH VALLIERE

Joseph Valliere was commandant at Arkansas Post from 1785 to 1790, after which he held a commission as captain in the "stationary regiment of Louisiana." While commandant at the Post he married a daughter of Lewismore Vaugine. On June 11, 1793, Baron Carondelet granted "To Capt. Don Joseph Valliere in the District of Arkansas, a tract of land situated on the White River, extending from the Rivers Norte Grande and Cibolos to the source of the said White River, ten leagues in depth."

Although the grant was legally made, according to Spanish customs of that period, the land was situated in the northern part of the present State of Arkansas, in a region inhabited and surrounded by hostile Indian tribes, which prevented the establishment of a settlement. Valliere died in 1799 and about 1845 his heirs brought suit to recover the land. The case was decided against them in 1847, on the grounds that the grantee had failed to carry out the provisions regarding settlement, occupation and improvement.

THE VILLEMONT GRANT

In 1790 Don Carlos de Villemont, an officer in the royal armies of Spain, was appointed commandant of Arkansas Post. He held that position until 1803, when the Province of Louisiana was ceded to the United States. In 1795, while commandant, he was granted a tract of land embracing two square leagues (two leagues in front by one league in depth), "situated on the right bank of the Mississippi, twenty-five leagues below the mouth of the Arkansas River, at a place called Isle des Chicot."

The land covered by this grant is in what is now Chicot County, Arkansas. At the time the grant was made, and for several years afterward, the Indians in that locality manifested opposition to the establishment of a white settlement in their country. Consequently no attempt was made to found a settlement there until the summer of 1822. Then a village called Villemont was started on the bank of the Mississippi. When Chicot County was created in October, 1823, Villemont was designated as the county seat. Villemont died at Arkansas Post on August 9, 1823, a little more than two months before the county was established. After his death the question of title was raised, which kept the Village of Villemont from prospering. In 1847 his heirs brought suit to recover the land and obtain a valid title. They were defeated in court, because of the twenty-seven years that elapsed between the date of the grant and the actual time of taking possession, as well as because the boundaries of the land were not well defined.

WHITE'S COMPILATION

By the treaty of February 22, 1819, Spain ceded Florida to the United States. While this cession did not affect Arkansas directly, it opened anew the whole question of land grants made during the Spanish regime. On May 23, 1828, President John Quincy Adams approved an act, "supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida." The act provided for the adjudication of such claims by the judges of the Superior Courts in the districts where the lands were situated, the claimants being given the right of appeal to the Supreme Court of the United States. In every case where the decision of the Superior Court was against the United States, the United States district attorney was required to make out and transmit to the attorney-general a statement containing the facts of the case and the points of law upon which the same was decided. It was made the duty of the attorney-general, in cases where the justice of the decision was questioned, to direct an appeal to the Supreme Court of the United States, and to prosecute such appeal. The law was made to apply to the states and territories of Alabama, Arkansas, Florida, Louisiana, Mississippi and Missouri, in which it was estimated that the unadjusted land claims covered some twelve millions of acres.

At the suggestion of William Wirt, then the United States attorney-general, President Adams appointed Judge Joseph M. White, of Florida, to translate and compile the French and Spanish laws and the colonial ordinances relating to land grants. On February 4, 1829, Judge White deposited his manuscript translation of over three hundred laws, ordinances, treaties, royal edicts, etc., with the state department. His "Recopilacion," as it has been called, covers about one hundred pages in Volume V, American State Papers. Had this compilation been made at the time Louisiana passed into the hands of the United States, it would have saved much vexatious litigation. When Judge White's report was published it was discovered that Congress, for want of knowledge of the Spanish laws and ordinances, had confirmed spurious claims to lands valued at ten millions of dollars or more in Arkansas, Missouri and Louisiana.

THE BASTROP GRANT

On June 12, 1797, Baron de Bastrop announced his intention of founding a settlement in the Ouachita country and petitioned Governor Carondelet for a tract of land twelve leagues square on the Ouachita River and the Bayou de Siard, with "the exclusive enjoyment of six toises (38.4 feet) on each side of the Bayou de Siard, from its origin to its discharge, to enable said petitioner to execute the works necessary to his mills, etc."

The petition was granted on June 20, 1797. Don Carlos Trudeau, surveyor-general of Louisiana, measured and surveyed a tract of "144 superficial leagues in the post of Washita, about eighty leagues above the mouth of that river," with the Bayou Bartlemi running through the center. This bayou is now known as "Bartholomew."

A great deal has been written about the Bastrop grant, and several errors regarding it have inadvertently crept into Arkansas history. Hallum's "His-

tory of Arkansas'' (p. 27) says: ''The Baron de Bastrop was the colonizer of Washita County.'' If he refers to Ouachita County (or Parish), Louisiana, the statement is correct. If he refers to Ouachita County, Arkansas, it is erroneous. The Bayou Bartholomew, about where it crosses the boundary line between Arkansas and Louisiana, turns sharply to the southwest. The boundary lines of Bastrop's grant on either side of the bayou were represented by lines running ''north fifty-two degrees east,'' or nearly northeast and southwest. Twelve leagues, in a northeasterly direction from the Ouachita River and Bayou Siard, would have brought a very small area of the extreme northern part of the grant into what is now Ashley County, but nowhere would it have touched the County of Ouachita.

The same author says Bastrop was granted ''six toises of ground on each side of the Bayou Bartholomew, from its source to its mouth, to enable him to construct the works and dams necessary for his mills, etc.'' In this statement he confuses the Bayou Bartholomew with the Bayou de Siard. This grant of six toises along the Bayou de Siard was afterward revoked by the Spanish Government, upon the presentation of a petition of the settlers, showing that the baron had never erected any mills thereon, and that the ''exclusive enjoyment'' of the strip worked an injustice upon them.

When the United States took possession of Louisiana Bastrop was very much disgusted with the change. On January 25, 1804, he executed a deed of sale to Abraham Moorhouse for an undivided two-thirds of the grant and went to San Antonio (Texas), where he died in 1828. After a great deal of litigation, Moorhouse was awarded a small portion of the grant. The titles of a few persons who had bought land from Bastrop and improved it were confirmed, but by far the larger portion was restored to the public domain, on the grounds that Bastrop had failed to protect his rights and perfect his title through the failure to carry out the provisions regarding settlement and improvement. Moorhouse Parish, Louisiana, bears the name of the purchaser and includes practically all of the twelve leagues square.

PART II

TERRITORIAL

CHAPTER VIII

CIVIL GOVERNMENT ESTABLISHED

ARKANSAS IN THE DISTRICT OF LOUISIANA ATTACHED TO INDIANA TERRITORY—LOUISIANA TERRITORY—FIRST OFFICERS—GOV. MERIWETHER LEWIS—DISTRICT OF ARKANSAS—GOV. BENJAMIN A. HOWARD—NEW MADRID EARTHQUAKE—TERRITORY OF MISSOURI—GOV. WILLIAM CLARK—FIRST GENERAL ASSEMBLY—SECOND GENERAL ASSEMBLY—SUBSEQUENT LEGISLATURES—MISSOURI MOVES FOR ADMISSION—PETITION FOR A NEW TERRITORY—ARKANSAS TERRITORY CREATED—THE ORGANIC ACT.

By the act of March 26, 1804, the Province of Louisiana was divided. All that portion lying south of 33° north latitude was designated as the "Territory of Orleans," and the remainder of the purchase as the "District of Louisiana," with the capital at St. Louis. The present State of Arkansas was therefore in the District of Louisiana. A territorial government was provided for the Territory of Orleans, but the District of Louisiana was attached as unorganized territory to the Territory of Indiana for judicial purposes, etc.

On October 1, 1804, Gov. William Henry Harrison, of Indiana, and the judges of that territory—Davis, Griffin and Vanderburg—visited St. Louis for the purpose of holding a session of the court and making laws for the District of Louisiana. They enacted fifteen laws, "identical with or adapted from those already in force in the old Northwest or Indiana Territory." Governor Harrison also defined the boundaries of the five subdistricts—St. Louis, St. Charles, Cape Girardeau, Ste. Genevieve and New Madrid—adopting the old Spanish boundaries, with a more accurate description. Provisions were made for justices of the peace, a sheriff, a recorder, an assessor, a constable, a coroner and a probate judge in each district. Col. Samuel Hammond was appointed lieutenant-governor or commandant of St. Louis; Col. Return J. Meigs, of St. Charles; Col. Thomas B. Scott, of Cape Girardeau; Maj. Seth Hunt, of Ste. Genevieve; and Pierre Antoine LaForge, civil commandant of New Madrid. This was the beginning of civil government under the United States.

LOUISIANA TERRITORY

On March 3, 1805, President Jefferson approved an act changing the name of the District of Louisiana to the Territory of Louisiana and providing a temporary government therefor. The President appointed Gen. James Wilkinson, governor; Joseph Browne, of New York, secretary; John B. C. Lucas, of Pennsylvania, John Coburn, of Kentucky, and Rufus Easton, of St. Louis, judges. Joseph Browne was a brother-in-law of Aaron Burr, upon whose "special and single recommendation he was appointed." General Wilkinson

was a native of Maryland, a man of pleasing manners, but a born intriguer. He had already won an uneviable notoriety in connection with the Spanish scheme to separate Kentucky and Tennessee from the Union, as mentioned in an earlier chapter. In 1805 Aaron Burr visited St. Louis, which caused Wilkinson to be suspected of aiding Burr's conspiracy to establish an independent empire in the Southwest, and in 1807 he was removed from the office of governor.

While Wilkinson was governor two events occurred that have a bearing upon the history of Arkansas. The first was the act of the Territorial Legislature of June 27, 1806, creating the District of Arkansas, of which more will be said later. The second was the expedition of Lieut. Zebulon M. Pike up the Missouri and Osage rivers. Pike left Fort Bellefontaine, at the mouth of the Missouri River, on July 15, 1806. He was accompanied by Lieut. James B. Wilkinson, a son of the governor, three noncommissioned officers, sixteen private soldiers, Dr. John H. Robinson, and a delegation of Osage Indians returning from Washington. About the middle of October he struck the Arkansas River near the present line between Kansas and Colorado. There he detached Lieutenant Wilkinson, Sergeant Ballinger and two men, to descend the river and make a report. The little party, with two canoes, reached Arkansas Post on January 9, 1807. This was the first official exploration of the Arkansas after the purchase of Louisiana by the United States.

GOV. MERIWETHER LEWIS

During the latter part of 1806 and the early part of 1807, President Jefferson received numerous letters from leading citizens of the territory, complaining of the governor's arbitrary acts and requesting his removal. Finally, to pacify this opposition, Jefferson, on March 3, 1807, removed Wilkinson and appointed Capt. Meriwether Lewis as his successor. Secretary Browne resigned when Wilkinson was removed and Frederick Bates was appointed to the vacancy.

Meriwether Lewis was born near Charlottesville, Virginia, August 18, 1774. He received a good education in such schools as were then in existence and from private tutors. In 1795 he entered the regular army and two years later was commissioned captain. From 1801 to 1803 he was President Jefferson's private secretary. Mr. Jefferson then appointed him joint commander with Capt. William Clark of an expedition "to ascend the Missouri River to its headwaters, and thence to follow the best water communication which offers itself to the Pacific Ocean." This expedition returned to St. Louis on September 23, 1806, and the following March Captain Lewis was appointed governor of Louisiana Territory.

Early in the fall of 1809 Governor Lewis was called to Washington on business connected with his office. He left St. Louis, intending to go to New Orleans and thence by water to Washington, but at the Chickasaw Bluffs he met Mr. Neely, agent for the Chickasaw Indians, who persuaded the governor to go overland with him. After crossing the Tennessee River some of their horses strayed away and Mr. Neely remained behind to hunt for them. Mr. Lewis went on with two servants, intending to stop at the first house and wait

for Mr. Neely to overtake him. The first house proved to be that of a man named Grinder, who was not at home. As the governor was not in good health, Mrs. Grinder consented to give him a night's lodging. According to Mrs. Grinder's story, Lewis showed such signs of mental derangement as to frighten her and she retired to an outhouse, after which Lewis committed suicide. Jefferson accepted that report, but there were persons living in the locality who believed that he had been murdered and robbed. Circumstances pointed to that conclusion. Only twenty-five cents were found in his pockets, when it was known that he had a considerable sum of gold with him when he left St. Louis. Grinder was indicted, but the testimony was insufficient to convict him. He soon afterward left Tennessee, where he had been recognized as a man of small means, but after he moved away it was reported that he was in a prosperous condition, owning farms and slaves. In 1843 the Tennessee Legislature erected Lewis County out of the territory where he was buried, his grave being made the exact center of the county. Five years later the Legislature appropriated funds for a monument over his grave.

Frederick Bates, the new secretary, reached St. Louis in May, 1807, and administered the affairs of the territory until the arrival of Governor Lewis in July. At a session of the Legislative Council in July, while Bates was acting governor, the judicial system established by the Indiana judges was revised and new courts authorized. The various districts were divided into townships, and provisions made for the appointment of a justice of the peace and a constable in each township. No appointments were made, however, until after the arrival of Governor Lewis.

DISTRICT OF ARKANSAS

Soon after the District of Louisiana was created by the act of March 26, 1804, it was divided into the districts of St. Louis, St. Charles, Cape Girardeau, Ste. Genevieve and New Madrid. On June 27, 1806, the Legislature of Louisiana Territory passed an act creating the District of Arkansas, "from the southern part of New Madrid District." The boundaries of the new district were not clearly defined by the act, and no attempt was made to organize the district for more than two years. In the "Missouri Gazette" of August 20, 1808, was published Governor Lewis' proclamation fixing the northern boundary of the district as "a line beginning on the Mississippi River opposite the second Chickasaw Bluff and continuing west indefinitely." The southern boundary was the thirty-third parallel of north latitude. On the 23d he appointed the following officers for the district: Harold Stillwell, sheriff; John W. Honey, judge of the Probate Court, clerk of the Court of Common Pleas, and recorder of the district; Joseph Stillwell, Francis Vaugine and Benjamin Foy, judges of the Court of Common Pleas; Perley Wallis, deputy attorney-general for the district; Andrew Fagot, justice of the peace, notary public and coroner. Benjamin Foy was also empowered to act as justice of the peace.

Judge Honey opened the Probate Court for the transaction of business on Monday, December 12, 1808, but no case appeared and he adjourned until the following morning. The record of the 13th reads: "Having adjourned to this day with an expectation of business, but it not appearing, I adjourned sine

die.'' The first will filed for probate was that of William Patterson, February 7, 1809, upon which Judge Honey granted letters to Daniel Mooney and Sylvanus Phillips authorizing them to act as executors. Mooney was then sheriff of the district, having been appointed by Frederick Bates to succeed Harold Stillwell.

GOV. BENJAMIN A. HOWARD

After the death of Governor Lewis, Frederick Bates discharged the duties of the office until the arrival of the new governor, Benjamin A. Howard, of Lexington, Kentucky. He was appointed early in 1810 by President Madison, but did not reach St. Louis until the summer was well advanced. He was about fifty years of age at the time of his appointment and had been prominent in public affairs for a number of years. In 1800 he was elected to the Kentucky Legislature and in 1806 to Congress, where he served until he resigned to become governor of Louisiana Territory. He was the last governor of that territory, resigning his office to accept a commission as brigadier-general on October 31, 1812. In March, 1813, he was placed in command of the Eighth Military Department and in the fall of that year built Fort Clark, near the present City of Peoria, Illinois. He died in St. Louis on September 18, 1814. Two years after his death Fort Howard, near the mouth of the Fox River in Wisconsin, was named in his honor.

One of the most notable events that occurred during Governor Howard's administration was the earthquake of 1811, which practically destroyed the village of New Madrid and the settlements at Big and Little Prairie (now Caruthersville). The earthquake is thus described in Carr's ''History of Missouri.''

''The first and one of the severest of the shocks was felt on the night of December 16, 1811; another of equal violence was experienced some months later; and after that they were repeated at intervals, but with lessening intensity, until finally they ceased altogether. Eye witnesses have told us that these concussions were divisible into two classes, in one of which the motion was perpendicular, whilst in the other it was horizontal. Of these, the latter were the more destructive; when they were felt the houses crumbled, the trees waved together and the ground sunk. The undulations at such times are described as resembling waves, which increased in elevation as they advanced, and when they had attained a certain fearful height, the earth would burst and vast volumes of water and sand and pit-coal were discharged, as high as the tops of the trees, leaving large crevices or chasms where the ground had burst. Lakes of twenty miles in extent and more were made in an hour, whilst others were drained, and whole districts were covered with white sand, so that they became uninhabitable. Large tracts, including the graveyard at New Madrid with all its sleeping tenants, were thrown into the river; and the whole country extending to the mouth of the Ohio in one direction and to the St. Francis in the other, including a front of three hundred miles, was convulsed to such a degree as to create islands and lakes, the number of which is not yet known.''

The district most violently affected was about thirty miles square, with New

Madrid as the center. But the effects of the disturbance extended southward into the District of Arkansas, where the "sunk lands of the St. Francis," in Craighead, Mississippi, Poinsett and some of the adjoining counties still remain as mute evidence of these wonderful phenomena. On February 17, 1815, Congress passed an act for the relief of the earthquake sufferers, by giving them certificates that entitled them to locate new homes upon the public lands. Speculators were the first to hear of the passage of the measure. They purchased for a mere pittance the ruined homes in the stricken district, received their dislocation certificates, and then would hunt around for the most valuable land upon which to file their claims. Some of the sufferers, more unscrupulous than their neighbors, sold their claims several times to different speculators. This gave rise to endless litigation. One Francois Langlois attempted to secure the Hot Springs of Arkansas with a New Madrid certificate. On November 30, 1815, Frederick Bates, recorder of land titles in Missouri Territory, issued a certificate to Eloy Dejarlois, entitling him to select 160 acres from the public domain. Dejarlois assigned the certificate to William M. O'Hara and Stephen F. Austin, who tried to locate a claim "on the south bank of the Arkansas River at the point of the Little Rock, where the west boundary line of the land claimed and owned by the Quapaw tribe of Indians intersects the southern edge of the said river." Both these entries were held not valid and patents to other settlers at Hot Springs and the Little Rock were issued by the Government in 1839.

TERRITORY OF MISSOURI

Article III of the Louisiana Purchase treaty provided that "The inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible, according to the Principles of the Federal Constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States," etc. With this provision in view, Congress passed an act that when the population of the Territory of Orleans numbered 60,000, the people should be entitled to admission as a state. The census of 1810 showed that the territory had considerably more than the required number of inhabitants. Under the treaty and the act of Congress, a movement was started for admission. An enabling act was approved by President Madison on February 20, 1811; a constitutional convention met in New Orleans in November of that year; the constitution was approved by Congress, and on April 8, 1812, the territory was admitted under the name of the "State of Louisiana."

The adoption of this name by the first state carved out of the Louisiana Purchase made it necessary to change the name of the Territory of Louisiana. Accordingly, on June 4, 1812, President Madison approved an act of Congress changing it to the "Territory of Missouri." In accordance with the provisions of this act, Governor Howard issued his proclamation on October 1, 1812, calling an election for members of a house of representatives and a delegate in Congress on the second Monday in November. The proclamation divided the territory into five counties, instead of districts, and apportioned among them the thirteen members of the house of representatives, to wit: St. Charles, 2; St. Louis, 4; Ste. Genevieve, 3; Cape Girardeau, 2; New Madrid, 2. The governor also

designated "the Village or Post of Arkansas as the seat of justice of the District of Arkansas," but the district was not given a member in the house of representatives. The issuing of this proclamation was one of the last official acts of Governor Howard.

At the election on November 9, 1812, Edward Hempstead was chosen delegate in Congress and the following were elected members of the house of representatives: St. Charles—John Pittman and Robert Spencer; St. Louis—William C. Carr, Richard Caulk, Bernard G. Farrar and David Musick; Ste. Genevieve—George Bullit, Israel McGready and Richard S. Thomas; Cape Girardeau—George F. Bollinger and Stephen Byrd; New Madrid—Samuel Phillips and John Schrader.

The territorial government of Missouri began to function on December 1, 1812, with Secretary Frederick Bates acting as governor. Under the organic act, the house of representatives was to meet on the first Monday in December and select the names of eighteen persons, from which the President was to nominate nine as members of the council, the council and house to constitute the General Assembly of the territory. Pursuant to this requirement, the newly elected representatives met on December 7, 1812, at the house of Joseph Robidoux, and were sworn in by Judge John B. C. Lucas. William C. Carr was elected speaker and Andrew Scott, clerk. The names of eighteen persons were then selected, to be forwarded to the President. From the names thus submitted to the President he nominated as the first territorial council the following: St. Charles—Benjamin Emmons and James Flaugherty; St. Louis—Auguste Chouteau and Samuel Hammond; Ste. Genevieve—Rev. James Maxwell and John Scott; Cape Girardeau—Joseph Cavender and William Neeley; New Madrid—Joseph Hunter.

As soon as Acting Governor Bates received official information that these nominations had been confirmed by the Senate, he issued his proclamation announcing the names of the councilmen and fixing the first Monday in July, 1813, as the date for the first meeting of the General Assembly. Before the time came for the Assembly to convene the new governor arrived at St. Louis.

GOV. WILLIAM CLARK

William Clark, a younger brother of Gen. George Rogers Clark, was born in Caroline County, Virginia, August 1, 1770. When he was about fourteen years of age his parents removed to Kentucky and settled where the City of Louisville now stands. In 1788 he entered the regular army as an ensign. Two years later he was commissioned a captain of militia by Gov. Arthur St. Clair and in 1791 he was made a lieutenant in the regular army. He served under Gen. Anthony Wayne in the campaigns against the Indians of Ohio and Indiana. On account of failing health he resigned his commission in 1796 and returned to farming. In 1803, at the request of Capt. Meriwether Lewis, he was appointed joint commander of the exploring expedition to the Pacific coast. President Jefferson appointed him brigadier-general of the Missouri militia in 1806 and the following year he was appointed Indian agent. Early in the year 1813 he was appointed governor of Missouri Territory and held that office until the state was admitted into the Union. In 1822 he was again appointed

Indian agent. The Indians had great confidence in him and called him by the endearing name of "Chief Red Head." His friendly relations with the natives enabled him successfully to negotiate a number of important treaties. In 1828 he founded the City of Paducah, Kentucky. He died in St. Louis, September 1, 1838.

FIRST GENERAL ASSEMBLY

On July 5, 1813, the first session of the Missouri General Assembly began in St. Louis. William C. Carr was again chosen speaker of the house and Samuel Hammond was elected president of the council. The most important acts of the session were those chartering the Bank of St. Louis; creating Washington County from part of Ste. Genevieve; establishing Courts of Common Pleas; and providing "that a census shall be taken of the male population of the territory, in order to fix the basis of representation." When the Assembly adjourned it was to meet again on the first Monday in December.

At the opening of the adjourned session on December 6, 1813, Speaker Carr resigned and George Bullit was elected to the vacancy. During this session acts were passed defining the county boundaries more clearly; changing the time of holding elections for members of the General Assembly to the first Monday in August, the first election to be held in 1814 and biennially thereafter; and fixing the time for the meeting of the General Assembly on the first Monday in December following the election. By the act of December 31, 1813, Arkansas County was created, embracing "all that part of Missouri Territory south of New Madrid County."

On January 27, 1814, President Madison approved an act of Congress requiring the judges of Missouri Territory "to hold two terms in each and every year at the Village of Arkansas Post." The act also provided for the appointment of an additional judge, who should "reside at or near the Village of Arkansas." In accordance with the act, George Bullit, of Ste. Genevieve County, was appointed judge on February 9, 1814.

SECOND GENERAL ASSEMBLY.

The census ordered at the first session of the General Assembly showed the total male population of the territory to be 11,993. On June 23, 1814, Governor Clark issued his proclamation apportioning the representatives among the several counties, to be elected on the first Monday in August, based on the number of male inhabitants in each county, to wit:

County	Population	Members
St. Charles	1,696	3
St. Louis	3,149	6
St. Genevieve	1,701	3
Cape Girardeau	2,062	4
New Madrid	1,548	3
Washington	1,010	2
Arkansas	827	1
	11,993	22

The second General Assembly met on Monday, December 5, 1814. William Neeley was elected president of the council and James Caldwell speaker of the house. There has been some difference of opinion among writers as to who was the representative from Arkansas County in this Legislature. Pope, in his "Early Days in Arkansas," says that Col. Alexander S. Walker "represented Arkansas County in the Territorial Legislature of Missouri when what is now the State of Arkansas was one county of Missouri," but he does not mention the date.

Haliburton's "History of Arkansas County" says: "The first session of the Territorial Legislature after the creation of Arkansas County convened on the 5th of December, 1814, at which time the journal fails to show the name of a representative from Arkansas County. At the next session, which convened on December 4, 1815, the name of Henry Cassidy appears on the journal of the house of representatives as the member from Arkansas County, showing conclusively that Henry Cassidy was the first representative of the county."

Reynolds, in his "Makers of Arkansas History," says: "Our first representative and law-maker was Col. Alexander Walker," but like Pope, he fails to give the date of his election or the session in which he served.

This confusion is due chiefly to the lack of authentic information on the subject. Jonas Viles, professor of American History in the University of Missouri, in "The South in the Building of the Nation" (vol. iii, p. 214), says: "The Journals of the Legislature were not printed except in the 'Missouri Gazette.' * * * Of the general accounts Louis Houck's 'Missouri,' though brief, is still the most valuable."

Halliburton is clearly mistaken regarding the date when Mr. Cassidy's name first appears, as no session of the General Assembly was held beginning on December 4, 1815. Mr. Houck (vol. iii, p. 6) says the second General Assembly adjourned after a short session; that the adjourned session met in January, 1815, at the house of Madame Du Breuil, and that the name of Henry Cassidy then appears as the representative from Arkansas County. Among the acts passed during the adjourned session was that creating the County of Lawrence, approved on January 15, 1815.

SUBSEQUENT LEGISLATURES

On August 5, 1816, members of both council and house of representatives for the third General Assembly were elected. This assembly held but one session, beginning on December 2, 1816. In the list of members, as given by Mr. Houck, the name of John Cummins appears as the councilman and Edward (Edmund) Hogan as representative from Arkansas County. The new County of Lawrence was represented in the house by Col. Alexander S. Walker. This is the only session in which Colonel Walker's name occurs as a member of the Territorial Legislature of Missouri, so it is practically certain that he was never elected from Arkansas County.

In the fourth and last territorial General Assembly, the members of which were elected on August 3, 1818, Arkansas County was represented in the council by Henry Cassidy and in the house by Edmund Hogan. Lawrence County had no member of the council and was represented in the house by John Davidson,

Joseph Harden and Perry G. Magness. The most important act of this session, so far as Arkansas is concerned, was that of December 15, 1818, erecting three new counties—Clark, Hempstead and Pulaski—out of territory taken from Arkansas County.

MISSOURI MOVES FOR ADMISSION

Many of the volunteers who served in the American army in the War of 1812 received warrants entitling them to locate homesteads upon the "bounty lands" set apart for that purpose in Missouri and Arkansas. This brought a flood of immigration into the country west of the Mississippi River. With the growth of population, the sentiment in favor of a state government became almost universal, especially in the northern part of the territory. During the summer and fall of 1817 petitions were circulated throughout the older counties, as a memorial to Congress, asking that the territory, within certain limits, be erected into a state. One of these petitions, signed by about sixty-five citizens of Washington County, set forth:

"That your petitioners live within that part of the Territory of Missouri which lies between the latitudes of 36° 30′ and 40° north, and between the Mississippi River to the east and the Osage boundary to the west. They pray that they may be admitted into the Union of states within these limits."

After thus describing the desired boundaries, the memorialists go on to state "that the boundaries as solicited will include all the country to the north and west to which the Indian title has been extinguished, and hope that their voice may have some weight in the division of their country and in the formation of their state boundaries; and that statesmen ignorant of its localities may not undertake to cut out their territory with fanciful divisions, which may look handsome on paper, but must be ruinous in effect."

Similar petitions from other counties were signed by numerous residents and the whole constituted a memorial which was presented to Congress in January, 1818, by John Scott, then the delegate from the territory.

PETITION FOR A NEW TERRITORY

It is not necessary here to follow the fortunes of the Missouri memorial. Its presentation, if granted by Congress, would leave all the region west of the Mississippi River between the parallels of 33° and 36° 30′ without any form of civil government whatever. At that time the population of the country thus forsaken was probably not more than ten or twelve thousand souls. Many of these were adventurers, some of them actual criminals, fugitives from justice, who cared little whether any form of civil government was established to check their questionable careers. But there were also honest settlers, who had located claims upon the public lands as preëmptors under what was known as the "Squatter's Land Law" of April 12, 1814, and who were laboring industriously to build up homes. These men dreaded the thought of being left outside the pale of law. To this sentiment another and more refined class of adventurers appealed. They were the disgruntled politicians, who had failed to receive recognition at the hands of Governor Clark, and speculators, who thought they

saw, in the formation of a new territory, an opportunity to enrich themselves at the expense of the public domain.

Of the latter class was one William Russell, whose home was in St. Louis. He was a man of more than average intelligence, an adventurer of the first order, always alert for the main chance in land speculation. Just when he came to Arkansas Post is not certain, but it was sometime in the year 1817. His actions indicated that it was his intention to become a permanent resident. When the movement for the admission of Missouri began to take form, he joined hands with the petty politicians, who had a real or fancied grievance against Governor Clark, in launching the agitation for a new territory.

At that time the principal centers of settlement in the Arkansas country were at Arkansas Post, Foy's Point (now Hopefield), Ecore a Fabre (now Camden), Helena, Washington and Little Rock. There were also a few settlers at Point Chicot, near the present City of Pine Bluff, at Montgomery's Point, and at a few points along the St. Francis and White rivers. In the spring of 1818 a meeting was held at Arkansas Post, at which a petition was prepared and during the summer it was circulated through the above mentioned settlements for signatures. The petition, addressed to "The Honorable The Senate and House of Representatives of the United States of America in Congress Assembled," after alleging the indifference of Governor Clark to the interests and welfare of the people of Arkansas County, asked Congress "to declare that part of the Territory of Missouri which lies north of the north boundary line of the State of Louisiana and south of a line to be run due west from the Mississippi River on the thirty-sixth parallel of north latitude to the River St. Francis, thence up the middle of the main channel of the River St. Francis to the thirty-seventh parallel of north latitude, thence due west to the western boundary of the United States west of the Mississippi River be created as a separate territory by the name of the Territory of Arkansaw."

The petition was presented to Congress on January 30, 1819. Ten days later a bill was introduced in the House of Representatives providing for the creation of Arkansaw Territory. It was passed by the House on February 20, 1819, and sent to the Senate. That body promptly concurred and the measure was approved by President Monroe on the 2nd of March.

THE ORGANIC ACT

"An Act establishing a separate territorial government in the southern part of the Territory of Missouri.

"Section 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the fourth day of July next, all that part of the Territory of Missouri, which lies south of a line beginning on the Mississippi River at thirty-six degrees north latitude running thence west to the River St. Francis, thence up the same to thirty-six degrees thirty minutes north latitude, and thence west to the western territorial boundary line, shall, for the purpose of a territorial government, constitute a separate territory and be called the Arkansaw Territory.

"Section 2. And be it further enacted, that there shall be established in the

said Territory of Arkansaw a temporary government, to consist of three departments, the Executive, the Legislative and the Judiciary.

"Section 3. And be it further enacted, that the executive power shall be vested in a governor, who shall reside in the said territory, and shall hold his office during three years, unless sooner removed by the President of the United States: He shall be commander-in-chief of the militia of said territory, shall have power to appoint and commission all officers, required by law, to be appointed for said territory, whose appointments are not otherwise provided for by this act; shall take care that the laws be faithfully executed; shall have power to grant pardons for offences against the said territory and reprieves for those against the United States, until the decision of the President thereon shall have been made known; shall, on extraordinary occasions, have power to convene the General Assembly hereinafter provided for, after one shall have been organized, in conformity to law; shall, ex officio, be superintendent of Indian affairs, and shall have such other powers and perform such further duties as are, by law given to, and imposed on the governor of the Missouri Territory, in all cases in which they shall become legally applicable to the Territory of Arkansas.

"Section 4. And be it further enacted, that there shall be a secretary for the said territory, who shall reside therein and continue in office for the term of four years, unless sooner removed by the President. He shall perform all the duties imposed on the secretary for the Territory of Missouri, by an act of Congress of the fourth of June, 1812, entitled 'An Act providing for the government of the Territory of Missouri.'

"Section 5. And be it further enacted, that the legislative power shall, until the organization of the General Assembly hereinafter provided for, be vested in the governor and judges of the Superior Court of the Territory, who shall have power to pass any law for the administration of justice in said territory, which shall not be repugnant to this act or inconsistent with the constitution of the United States: Provided, that whenever the General Assembly shall be organized, all the legislative power of the territory shall be vested in, and be exercised by, the said General Assembly.

"Section 6. And be it further enacted, that so much of the act of Congress of the 4th of June, 1812, entitled 'An Act providing for the government of the Territory of Missouri,' as relates to the organization of a General Assembly therein, prescribes the powers and privileges thereof, the mode of election and period of service of the members thereof, and defines the qualifications and privileges of the electors and elected, shall be in full force and operation in the Arkansaw Territory, to the extent of its application, so soon as the governor thereof shall be satisfied that such is the desire of a majority of the freeholders thereof, and not until then. Provided, that until there shall be five thousand free white males, of the age of twenty-one years, and upwards, resident in the said territory, the whole number of representatives shall not exceed nine.

"Section 7. And be it further enacted, that the judicial power of the territory shall be vested in a Superior Court, and in such inferior courts as the legislative department of the territory shall from time to time institute and establish, and in justices of the peace. The Superior Court shall be composed of three judges, who shall reside in the territory and continue in office for the

term of four years, unless sooner removed by the President. The Superior Court shall have jurisdiction in all criminal and penal cases and exclusive cognizance of all capital cases, and shall have and exercise original jurisdiction, concurrently with the inferior courts, and exclusive appellate jurisdiction in all civil cases, in which the amount in controversy shall be one hundred dollars or upwards. The Superior Court shall be holden at such times and place or places as the legislative department shall direct, and continue in session until the business therein shall be disposed of, or as long as shall be prescribed by law. Provided, that any two of the judges shall constitute a court of appellate, and any one, a court of original jurisdiction.

"Section 8. And be it further enacted, that the governor, secretary, judges, and all other officers of the territory, civil and military, shall, before they enter on the duties of their respective offices, take an oath or affirmation to support the constitution of the United States; and to discharge, with fidelity, the duties of their offices. The governor before a judge of the Superior or District Court of the United States, or a judge of the Superior Court of the said territory. The secretary and judges before the said governor, or a judge of the Supreme or District Court of the United States, and all other officers before the governor or any of the judges of the Supreme or inferior courts or justices of the peace of said territory.

"Section 9. And be it further enacted, that the governor, secretary, and the judges of the Superior Court, authorized for said territory, during the temporary government thereof, shall be appointed by the President of the United States, with the advice and consent of the Senate: Provided, that the President shall have full power during the recess of the Senate to commission all, or any of the said officers, until the end of the session of Congress next succeeding the date of the commission. The governor, secretary and judges of the Superior Court shall receive the same compensation, payable quarterly yearly, which the governor, secretary and superior judges of the Missouri Territory are entitled [to] by law.

"Section 10. And be it further enacted, that all the laws which shall be in force in the Territory of Missouri, on the fourth day of July next, not inconsistent with the provisions of this act, and which shall be applicable to the Territory of Arkansaw, shall be and continue in force in the latter territory, until modified or repealed by the legislative authority thereof.

"Section 11. And be it further enacted, that the bounty lands granted or hereafter to be granted, for military services during the late war, shall, while they continue to be held by the patentees, or their heirs, be exempt from all taxes for the term of three years, from and after the date of the patents, respectively.

"Section 12. And be it further enacted, that whenever, according to the provisions of this act, the people of the Arkansas Territory shall have a right to elect members of the house of representatives of their General Assembly, they shall also have the right to elect a delegate from the said territory to the Congress of the United States, who shall possess the same powers, enjoy the same privileges and receive the same compensation, granted and secured by law to the delegates from other territories.

"Section 13. And be it further enacted, that until otherwise directed by

the legislative department of the said Territory of Arkansaw, the seat of the territorial government shall be the Post of Arkansaw, on the Arkansaw River.

"Section 14. And be it further enacted, that the line now established by law between the land offices, at the seat of justice in the County of Lawrence, and at the Town of Jackson, in the County of Cape Girardeau, shall, from and after the passage of this act, be so altered as to run, be the same and correspond with the northern line of the said Territory of Arkansaw; anything in the act entitled 'An Act making provision for the establishment of additional land offices in the Territory of Missouri,' passed the 17th day of February, 1818, to the contrary notwithstanding.

"March 2, 1819,
"Approved,
"JAMES MONROE.

"H. CLAY,
"Speaker of the House of Representatives.
"J. W. BARBOUR,
"President of the Senate pro tempore.

"I certify that this Act originated in the House of Representatives.

"Attest,
"THOMAS DOUGHERTY, C. H. R."

CHAPTER IX

ARKANSAS AS A TERRITORY

THE NAME "ARKANSAS"—PRONUNCIATION OF—WHY THE NAME WAS ADOPTED—MILLER'S ADMINISTRATION—ROBERT CRITTENDEN—FIRST LEGISLATURE—GOVERNOR MILLER ARRIVES—FIRST ELECTIVE LEGISLATURE—ACTION BY CONGRESS—ADJOURNED SESSION—ELECTION OF 1821—SECOND LEGISLATURE—ELECTION OF 1823—THIRD LEGISLATURE—IZARD'S ADMINISTRATION—EXECUTIVE TROUBLES—CAMPAIGN OF 1825—LEGISLATURE OF 1825—ELECTION OF 1827—FIFTH GENERAL ASSEMBLY—CRITTENDEN-CONWAY DUEL—SPECIAL ELECTION—SPECIAL SESSION OF 1828—POPE'S ADMINISTRATION—ELECTION OF 1829—SIXTH LEGISLATURE—MILITARY BOUNTY LANDS—A NEW NEWSPAPER—ELECTION OF 1831—SEVENTH GENERAL ASSEMBLY—A STORMY SESSION—GOVERNOR POPE'S VETO—MEMORIAL—CANVASSED HAMS—THE BIG HOUSE—ELECTION OF 1833—EIGHTH LEGISLATURE—FIRST COMPILATION OF LAWS—FULTON'S ADMINISTRATION—NINTH GENERAL ASSEMBLY.

How did the State of Arkansas get its name? The word Arkansas is unquestionably of Indian origin—the name of the tribe which once inhabited the country near the junction of the Arkansas and Mississippi rivers. As stated in the chapter on Indian History, the original name of this tribe was "U-gakh-pa," meaning "downstream people." This name has been corrupted into various forms, such as Kappa, Kapaha, Oguahpa, and finally into Quapaw. In the "Handbook of American Indians," edited by Frederick Webb Hodge and published by the United States Bureau of Ethnology, the name of this tribe is shown spelled in about seventy-five different ways. All the early explorers wrote the name as beginning with the letter "A," due no doubt to their inability to understand perfectly the Indian pronunciation. The following table shows the various spellings used by some of the best known of these explorers and writers:

Date—Author	Form
1673—Marquette	Akansea
1680—La Salle	Acansa
1687—Joutel	Accanceas
1698—Hennepin	Akanssa
1700—Gravier	Acansea
1700—Penicaut	Arkansas
1720—La Harpe	Alkansas
1741—Coxe	Akansaes
1753—La Potherie	Accances
1775—Adair	Aquahpa
1811—Pike	Arkansaw
1814—Schermerhorn	Arkensaw

It will be noticed that Penicaut, in 1700, was the first to employ the letter "r," spelling the name in the form which is now universally used. It will also be observed that the early writers rarely used the final "s," and when added it was merely to express plurality. Among the tribes which inhabited what is now the central part of the United States there were many words ending in "a," such as Arkansa, Chippewa, Omaha, Ottawa, Wichita, etc. In all these words there was a secondary accent upon the last syllable, the final vowel uniformly taking the sound of "a" in "arm." The custom of adding "s" to form the plural was introduced by white men. Such a custom may be considered convenient by those who use it, but it is now discouraged by the most enlightened students of ethnology.

PRONUNCIATION OF THE NAME

Much has been written, pro and con, as to how the word Arkansas should be pronounced. Some have taken the view that the final "s" should be sounded and the accent placed upon the second syllable. Others have contended that the final letter should be silent and the word pronounced as if the last syllable were spelled "s-a-w." Advocates of the former theory have based their arguments chiefly upon the analogy of the words Kansas and Arkansas. They insist that if the generally accepted pronunciation of Kansas is correct, the word Arkansas should be pronounced to correspond. But these theorists overlook the fact that the correct ethnological name of the Indian tribe from which the State of Kansas derives its name is "Kansa," the letter "s" having been erroneously added to form a plural, just as in the case of Arkansa, Omaha, etc.

In early days the name was usually written "Arkansaw" and there was no controversy over its pronunciation. In the act of March 2, 1819, creating the territory, the word occurs ten times and is invariably written "Arkansaw." Governor Izard always erased the final "s" in public documents. The question of pronunciation was settled—so far as such matters can be settled by legislative bodies—by the concurrent resolution adopted by the Arkansas Legislature of 1881. The resolution was introduced in the Senate by W. L. Terry, the member from Pulaski County, on February 22, 1881. It passed the Senate on the same day, and on March 14th it passed the House. The resolution fixes the pronunciation as though the word were spelled Ar-kan-saw, with the accent on the first and last syllables, and declares that "the pronunciation with the accent on the second syllable, with the sound of 'a' in man and the sounding of the terminal 's' is an innovation to be discouraged."

WHY THE NAME WAS ADOPTED

For many years the newspapers of Arkansas, particularly those published in Little Rock, have contained articles from correspondents relating to the adoption of this name for the state. Some of these correspondents have endeavored to establish the fact that the state was named for the tribe of Indians which once inhabited the country. Others, with arguments equally logical and plausible, have insisted that it was named for its principal river. Still others have pointed out that the entire region drained by the lower Arkansas

River was once known as the "Arkansaw Country," and have persistently maintained that this fact gave the state its name.

There may be good grounds for each of these theories. It is practically certain that Congress conferred the name on the territory in response to the petition which emanated from the meeting held at Arkansas Post in the spring of 1818. But who can say what the petitioners had in mind when they asked for the establishment of a new territory, to be designated "by the name of the Territory of Arkansaw?" Until that question is satisfactorily answered, the real reason for the adoption of the name must remain a matter of uncertainty. They may have had in mind the Indian tribe, the river or the region known as the "Arkansaw Country," or they may have taken all three into consideration. The petitioners have all passed to their reward, carrying their secret with them. They left no record, but the name Arkansas remains.

MILLER'S ADMINISTRATION

President Monroe lost no time in appointing officers for the Territory of Arkansas. On March 3, 1819, the day after approving the act creating the territory, he appointed Gen. James Miller, of New Hampshire, governor; Robert Crittenden, of Kentucky, secretary. A little later he appointed as judges of the Superior Court Charles Jouett, of Michigan; Robert P. Letcher, of Kentucky; and Andrew Scott, of Missouri. Judge Scott, whose home was at Potosi, Washington County, Missouri, was the first of the territorial officials to reach Arkansas Post. Robert Crittenden and Judge Letcher arrived in time to set in motion the machinery of the territorial government on July 4, 1819, the date specified in the organic act.

Gen. James Miller, the first governor of Arkansas Territory, was born at Peterborough, New Hampshire, April 25, 1776. He entered the army at an early age and in 1808 was commissioned major of the Fourth United States Infantry. Soon after the breaking out of the War of 1812 he was promoted to lieutenant-colonel of the Twenty-first Connecticut Volunteers. His regiment formed part of the command of General Ripley, former colonel of the regiment. At the battle of Lundy's Lane on July 25, 1814, a British battery occupied an eminence and its fire was causing serious havoc in the American ranks. Pointing to the battery, General Ripley asked Colonel Miller if he could silence the guns. Miller saluted and quietly responded: "I'll try, sir." Communicating the order to his subordinate officers, Colonel Miller placed himself at the head of his regiment, which advanced steadily up the slope until close to the battery, when the order to charge was given. With a cheer, the men of the Twenty-first rushed forward with fixed bayonets, and before the astonished Britons could regain control of their senses their guns were in the hands of the victorious Americans. Miller's words, "I'll try, sir," afterward became historic and were printed on the badges worn by the regiment. On November 3, 1814, Congress voted him a gold medal and the War Department promoted him to the rank of brigadier-general for distinguished services at Niagara, Fort Erie, Chippewa, Lundy's Lane, etc.

Under the provision of the organic act, the governor was appointed for a term of three years. At the expiration of his term in March, 1822, Governor

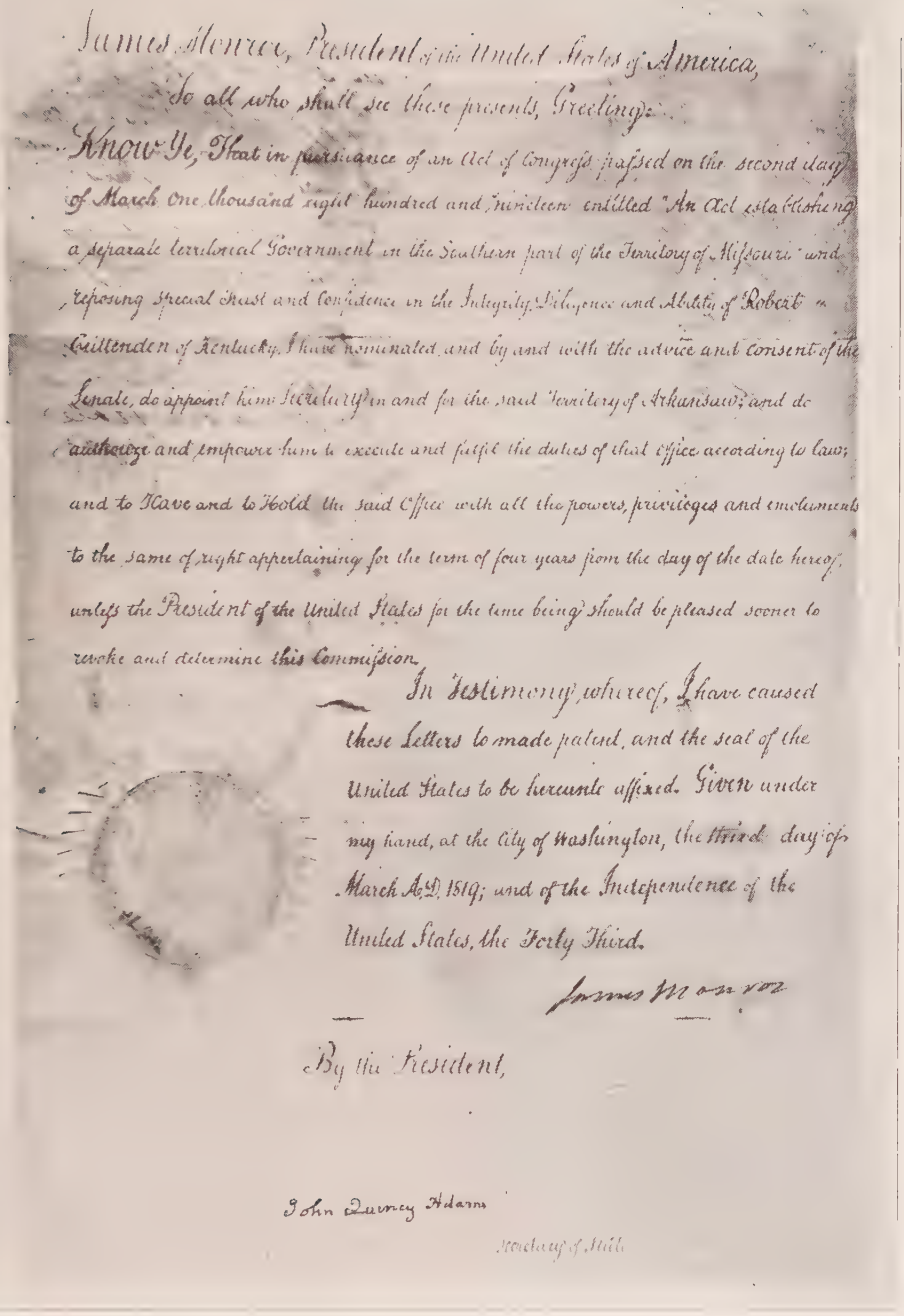
Miller was reappointed and served almost a second full term. Late in the year 1824 President Monroe appointed him collector of the port at Salem, Massachusetts, and he resigned the governorship to accept the position. When President Jackson was inaugurated in 1829, an effort was made ho have Miller removed. Thomas H. Benton explained to Jackson that Miller was the hero of Lundy's Lane, whereupon the President turned to his secretary and said: "Colonel Donelson, write to General Miller that he shall remain collector of the port of Salem as long as Andrew Jackson is President. General Miller died at Temple, N. H., July 7, 1851, in the seventy-sixth year of his age.

ROBERT CRITTENDEN

Robert Crittenden, the first secretary of Arkansas Territory, was born near Versailles, Woodford County, Kentucky, January 1, 1797. His father, John Crittenden, was a native of Virginia, a major in the Continental army during the Revolutionary war, and afterward settled in Woodford County, Kentucky. In 1814 Robert entered the army as an ensign and was discharged in June, 1815, with the rank of lieutenant. He then began the study of law with his brother, John J. Crittenden, at Russellville, Kentucky. In the Seminole war of 1817-18, he served under Gen. Andrew Jackson as captain of a volunteer company organized in Russellville. He then completed his legal studies and was admitted to practice in Kentucky soon after he attained his majority. At the time he was appointed secretary of Arkansas Territory he was only a little over twenty-two years of age, "with all the ambition of youth, but lacking in the wisdom that comes only by experience."

The annual salary of $1,000, with the privilege of engaging in any private business that did not interfere with his official duties, was no doubt a great temptation in those days to a young and briefless barrister, especially one with a leaning toward politics. Some historians have given Mr. Crittenden great credit for the arduous work he performed in organizing the new territorial government, before the arrival of Governor Miller. Not much of this credit is really deserved. Under the act of Congress of January 27, 1814, George Bullit was appointed as an additional judge for the Territory of Missouri and required to reside in Arkansas County. Mr. Bullit was one of the early lawyers of Ste. Genevieve County, Missouri. He was a member of the first House of Representatives in that territory and was elected speaker at the opening of the second session. When appointed judge, he removed with him family to Arkansas Post, organized the five counties in what had formerly been the District of Arkansas, and held court therein for five years before the Territory of Arkansas was created. When Mr. Crittenden arrived in the summer of 1819, he found an organization already perfected and in good working order. Judge Bullit then returned to Ste. Genevieve and was appointed register of the land office.

Mr. Crittenden continued to serve as secretary until the inauguration of President Jackson in 1829. During the ten years he held the office he was frequently called upon to act as governor in the absence of Governors Miller and Izard. His character is thus analyzed by Professor Shinn in his "Pioneers and Makers of Arkansas":



James Monroe, President of the United States of America,
To all who shall see these presents, Greeting:
Know Ye, That in pursuance of an Act of Congress passed on the second day of March One thousand eight hundred and nineteen entitled "An Act establishing a separate territorial Government in the Southern part of the Territory of Missouri" and reposing special trust and confidence in the Integrity, Diligence and Ability of Robert Crittenden of Kentucky, I have nominated and by and with the advice and consent of the Senate, do appoint him Secretary in and for the said Territory of Arkansaw; and do authorize and empower him to execute and fulfil the duties of that Office according to law; and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining for the term of four years from the day of the date hereof, unless the President of the United States for the time being should be pleased sooner to revoke and determine this Commission.

In Testimony whereof, I have caused these Letters to made patent, and the seal of the United States to be hereunto affixed. Given under my hand, at the City of Washington, the third day of March A.D. 1819; and of the Independence of the United States, the Forty Third.

James Monroe

By the President,

John Quincy Adams
Secretary of State

COMMISSION BY PRESIDENT JAMES MONROE TO ROBERT CRITTENDEN, FIRST SECRETARY OF ARKANSAS TERRITORY, MARCH 3, 1819

"He had all the arts of the politician without the wisdom of the statesman. His ambition extended to the mere parceling of minor appointments, rather than a leadership based on reason or the exercise of superior talent. He preferred to marshal men through personal obligation, rather than lead them by an appeal to conviction. He did not lack eloquence—an eloquence, however, more fanciful than logical—more imaginative than practical. He lacked an orderly control of his mind, and this to a large degree destroyed his influence upon political subjects. His greatest defect was that he mingled too little with the masses of men, and was therefore without knowledge of the great mainsprings of human action. He was an inborn aristocrat and a whig to the core. To the multitude he was therefore an iceberg, and to him, the multitude was an unthinkable quantity. He was above them, and this feeling of eminence barred his entry into the great domain of human nature."

On October 1, 1822, Mr. Crittenden was united in marriage with Miss Anne Innes Morris, whose parents lived near Frankfort, Kentucky. The four children of this union—three daughters and one son—were all born in Little Rock. He continued to reside in Little Rock after he was succeeded as secretary by William S. Fulton. His death occurred on December 18, 1834, in Vicksburg, Mississippi, while on a business trip to that city.

FIRST LEGISLATURE

Robert Crittenden arrived in the territory in June, 1819. Soon after his arrival he issued a call, in his capacity of acting governor, for the Legislature to meet on Wednesday, July 28, 1819. That first Legislature was composed of the acting governor and the three judges of the Superior Court—a system introduced by Congress to keep the expenses of the territorial government within as small a compass as possible. Imagine a republican form of government in which the legislative, executive and judicial powers were vested in the same set of men. Fancy a governor growing enthusiastic in the enforcement of a law against which he voted as a legislator; or a judge declaring null or unconstitutional a law he had helped to enact.

Judge Charles Jouett was chosen to preside as speaker, and George W. Scott was elected clerk. The session lasted until the 3d of August—five working days in all. Among the principal acts passed during that brief time were the following:

1. An act declaring in force in the Territory of Arkansas "all the laws and parts of laws now in existence in the Territory of Missouri, which are of a general and not of a local nature, and which are not repugnant to the provisions of the original law of this territory."

2. An act dividing the territory into two judicial circuits and providing for the appointment in each of "a person learned in the law as circuit judge," who should receive a salary of $1,200 annually. The counties of Arkansas and Lawrence constituted the first circuit and the counties of Clark, Hempstead and Pulaski constituted the second.

3. An act creating the offices of territorial auditor and territorial treasurer, to be appointed by the governor and to receive an annual salary of $300 each.

4. The general appropriations bill, which provided for the expenses of the territorial government from the time it went into operation on July 4, 1819, to January 1, 1821, to wit:

Salaries of auditor and treasurer	$1,000.00
Salaries of circuit judges	3,600.00
Clerk of the Legislature	56.00
Johnson & Armstrong, stationery, etc	10.87½
Distributing laws	150.00
Total	$4,816.87½

This is quite a modest list of appropriations, when compared with the present day. The Congress of the United States appropriates public funds in amounts running into billions of dollars, and several of the forty-eight states of the Union have an annual budget running into millions. Of course, the salaries of the governor, secretary and judges of the Superior Court were paid by the United States, but the territorial government of Arkansas was conducted during the first eighteen months of its existence on less than $5,000 raised by taxation on the inhabitants.

Concerning the last item in the above list of appropriations, the law provided that "The governor of this territory shall cause six copies of the laws passed at the present session of the Legislature to be made out in writing, one of which he shall cause to be forwarded, as soon as may be, to each of the clerks of the Circuit Courts (one to each county) and one to the clerk of the Superior Court of this territory, for the use of the public."

At that time there was not a printing press in the Territory of Arkansas, and this was the only method—or at least the most economical method—of placing copies of the laws in the hands of the Circuit Court clerks in each of the five counties, and one retained at the territorial capital, where they could be consulted by parties interested.

Immediately after the adjournment of the Legislature, Acting Governor Crittenden appointed George W. Scott, territorial auditor; James Scull, territorial treasurer; James Woodson Bates, judge of the first circuit; and Neil McLane, judge of the second circuit. Clerks of the Circuit Courts were also appointed and a few changes were made in the personnel of the county officers.

FIRST ELECTION IN THE TERRITORY

Shortly after the adjournment of the Legislature, Mr. Crittenden issued his proclamation ordering an election to be held on Saturday, November 20, 1819, at which the voters of the territory should choose a delegate to Congress, five members of a Legislative Council and nine members of a House of Representatives. Six candidates presented themselves for delegate, viz: Stephen F. Austin, James Woodson Bates, Henry Cassidy, Robert F. Slaughter, Alexander S. Walker and Perley Wallis. A total of 1,272 votes was cast, distributed among the six candidates as follows: Austin, 343; Bates, 401; Cassidy, 156; Slaughter, 138; Walker, 226; Wallis, 8.

Mr. Austin, who was a son of Moses Austin, the Little Rock pioneer, announced his candidacy only thirteen days before the election. In those days news traveled slowly; consequently, in Arkansas County and two townships of Lawrence County, the voters did not learn until after the election that he was a candidate. He was a popular man and had he entered the race earlier, the result might have been different. As it was, Mr. Bates received a plurality of the votes and was declared elected.

GOVERNOR MILLER ARRIVES

The Arkansas Gazette of December 25, 1819, contained the following item: A report is in circulation here, that Governor Miller passed the mouth of the White River, a few days ago, in a keelboat. If this report be true, he is probably now in the Arkansas and will be up in a day or two."

The "keelboat" mentioned in the above item was really the barge "Arkansaw," which had been fitted up at Pittsburgh by the United States for the governor's voyage down the Ohio and Mississippi rivers and up the Arkansas to Arkansas Post. Some writers have shown a disposition to "poke fun" at Governor Miller for his leisurely trip, and to intimate that he preferred the receptions given him by the people along the route to the performance of his executive duties. His fame as the hero of Lundy's Lane had preceded him, and at each of the principal towns and cities—Wheeling, Cincinnati, Louisville, etc. —he was given a cordial welcome. In those places there were veterans of the War of 1812 who wanted to grasp the hand of the man who had so effectually silenced an enemy's guns. General Miller's reply of "I'll try, sir," to his commander became universally popular. If a man asked a comrade to take a drink in honor of General Miller, the answer came back promptly, "I'll try, sir," and on such occasions the trial was always crowned with as much success as General Miller's charge on the British battery.

Governor Miller was a good mixer and a man of somewhat convivial inclinations. In those days a man had to be such in order to be a successful politician. No doubt he joined in and enjoyed the festivities at the various points where he stopped during his journey. But there were far more serious and important reasons for his delay. In the first place, his commission as governor was sent by mistake to Arkansas Post, instead of to New Hampshire. The error was not corrected until May 29, 1819, only a little more than a month before the territorial government was to go into operation. Some time was necessary for him to resign his commission in the army, settle up his affairs and make provision for his family during his absence.

Secondly, it was necessary for him to go to Washington, where he was detained for several days in obtaining an order on the ordnance officer at Pittsburgh for the arms and ammunition for the militia of the territory. At Pittsburgh he was compelled to wait for more than a week before his barge was equipped for the voyage. The governor thus explained the reasons for his delay in his message to the Legislature on February 10, 1820:

"I left Pittsburgh on the 17th day of October, with 400 stand of arms, 40,000 rounds of fixed ammunition, 50 horsemen's pistols, &c., all of which I have stored in this village until further provisions are made for the same. I

left my family on the 10th of September and arrived here on the 26th of December. When, fellow-citizens, the distance I had to travel and the duties I had to perform on the way are considered, and that I was obliged to descend the rivers from Pittsburg to this place with the waters unusually low, I hope you will be convinced that I have not unreasonably neglected your interests or those of our common country."

On Sunday, December 26, 1819, the news spread rapidly that the governor's barge was coming up the river. The citizens abandoned their domestic chores and church duties to gather at the landing. It was a red-letter day in the annals of Arkansas Post. As the barge approached, it was noticed that the name "Arkansaw" was emblazoned on each side of the cabin in gilt letters. From the staff at the prow floated the national ensign. On one of the white stripes was the name "Arkansaw," and below it was the now famous motto—"I'll try, sir." Gathered in the sumptuously furnished cabin was Governor Miller, with his suite, waiting to disembark. The long, tedious voyage was ended. The Gazette, in its issue of January 1, 1821, said:

"The gentlemen who compose the governor's suit, to the number of twenty, are from different parts of the Union, and intend to make permanent settlements in this territory. While we notice with pleasure so great an acquisition to our society, we cannot forbear to mention, for the gratification of our female friends, the arrival of one lady in the company, the wife of Captain Spencer, late of the United States army. We cordially greet them all—bid them welcome to our land—and sincerely hope that they may meet with all the encouragement their spirit and enterprise so richly deserve."

FIRST ELECTIVE LEGISLATURE

Under the proclamation of Mr. Crittenden, calling an election on November 20, 1819, the voters at that time elected five members of a Legislative Council—one from each organized county—and nine members of a House of Representatives. The councilmen elected were: Arkansas County, Sylvanus Phillips; Clark, Jacob Barkman; Hempstead, David Clark; Lawrence, Edward McDonald; Pulaski, John McElmurry.

The several counties were represented in the House as follows: Arkansas, William O. Allen and William B. R. Horner; Clark, Thomas Fish; Hempstead, John English and William Stevenson; Lawrence, Joab Hardin and Joseph Hardin, Sr.; Pulaski, Radford Ellis and Thomas H. Tindall.

On December 29, 1819, Governor Miller issued his proclamation calling the Legislature to meet in special session on the first Monday in February, 1820. The General Assembly was therefore convened on February 7, 1820. The council organized by electing Edward McDonald president and Richard Searcy clerk. William Stevenson was chosen speaker of the House and Jason Chamberlain clerk. Mr. Stevenson resigned after one day's service and Joseph Hardin was elected to fill the vacancy.

In ordering an election for the five members of the Legislative Council, thus raising Arkansas to a territory of the second grade, Mr. Crittenden exceeded his authority. Section 6 of the organic act expressly set forth that the

FIRST COURTHOUSE IN ARKANSAS TERRITORY, AT DAVIDSONVILLE, LAWRENCE COUNTY. DAVIDSONVILLE WAS ALSO THE FIRST POST OFFICE IN THE TERRITORY

General Assembly should be established and organized in the same manner as had that of Missouri Territory; that is, a House of Representatives should be elected, select eighteen persons and forward their names to the President, who should appoint nine to be members of the council. The same section also provided that this action should be taken "so soon as the governor shall be satisfied that such is the desire of a majority of the freeholders, and not until then."

Almost immediately after the session of the acting governor and judges in their legislative capacity, in July and August, 1819, the three judges left the territory—Judge Scott to bring his family to Arkansas, and Judges Jouett and Letcher permanently. This left Mr. Crittenden the sole representative of the territorial government. It was while this situation still existed that he issued his proclamation for an election for members of both branches of the General Assembly. There is no evidence to show that he consulted the freeholders to ascertain their desire. The most charitable view that can be taken of his action is that he was a young man, inexperienced in matters of statecraft, that he was actuated by the motive of giving the people a voice in the management of their territorial government, and that he failed to give the Missouri organic act the consideration to which it was entitled.

Upon his arrival at Arkansas Post, Governor Miller expressed doubts as to the legality of the election of the council members. He suggested a memorial to Congress praying the immediate passage of an act raising Arkansas to a territory of the second grade, thus legalizing the General Assembly elected pursuant to Crittenden's proclamation. At an evening session on February 7, 1820, Mr. Crittenden addressed the two houses in joint session. There is no record preserved showing just what occurred at that meeting. It is quite probable, however, that the secretary, by his persuasive eloquence, won a majority of the members to his side, as the following morning the two houses, in committee of the whole, adopted the following resolution, which was introduced by Mr. Horner:

"Resolved, by the General Assembly, in committee of both houses, that we approve of the conduct of the executive of the territory in ordering the election of the Legislative Council, and that a committee of two be appointed to wait on his excellency (Governor Miller) and inform him of the same."

The entire day of the 9th was spent in discussion of the subject, but no conclusion was reached. On the 10th, Governor Miller read his official message, in which he said: "Under the present state of doubt in relation to the legislative powers of one branch of the General Assembly, I take the liberty of recommending that after you have prepared the necessary memorials to the National Government, you confine your deliberations to the revenue laws as they now stand in the territory, and if you find they are in force, to declare it, and to making the appropriations that are deemed indispensable."

After the reading of the message, Mr. Horner realized that his resolution of the preceding day had been introduced somewhat prematurely, and that its adoption was a case of "the wish being father to the thought." It was natural that the residents of the territory should want to take a hand in affairs, particularly in the enactment of laws for their government. The message convinced Mr. Horner that it would take more than a resolution to supplant an

act of Congress. He therefore hastened to offer the following, which was adopted:

"Resolved, that we deem it expedient to forward a memorial to Congress praying a favorable construction of the organic law of this territory relating to the election of the Legislative Council."

The memorial was prepared and sent to Mr. Bates, the delegate in Congress from Arkansas, after which the General Assembly settled down to business. Two new counties—Miller and Phillips—were created; appropriations made for the territorial government; the county seat of Pulaski County was established at Cadron (now in Faulkner County); sheriffs of the several counties were ordered to pay over public moneys to the territorial treasurer; William E. Woodruff, proprietor of the Arkansas Gazette was elected public printer; and a few minor acts were passed. On February 24th the Legislature adjourned, to meet on the first Monday in October.

ACTION BY CONGRESS

On April 11, 1820, Mr. Johnson, of Kentucky, at the request of Mr. Bates, introduced the following bill in the National House of Representatives:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of Congress passed on the fourth day of June, one thousand eight hundred and twelve, providing for the government of the Territory of Missouri, as modified by the act of Congress passed on the twenty-ninth day of April, one thousand eight hundred and sixteen, entitled an act to alter certain parts of the act aforesaid, shall be considered as applicable to the Territory of Arkansas, and shall have reference to the proceedings of the said territory, in the organization of the second grade of territorial government assumed by said territory, under an act of Congress of the second of March, one thousand eight hundred and nineteen, establishing the Territory of Arkansas: And all and every step taken under the last mentioned act, shall be considered valid, if not inconsistent with the three before recited acts taken together."

This measure was rushed through both houses of Congress and was approved by President Monroe on April 21, 1820. Arkansas was thus elevated to the position of a second grade territory.

The ill-feeling engendered during the short but tempestuous session of the Legislature in February resulted in a duel between William O. Allen, one of the representatives from Arkansas County, and Robert C. Oden. The duel was fought on March 10, 1820, and both men were wounded at the first fire. Mr. Oden recovered, but Mr. Allen died from the effects of his wound on March 21st. His death left a vacancy in the House of Representatives and Governor Miller ordered a special election on the first Monday in August to select his successor. At the election Richmond Peeler received 82 votes and Joseph Stillwell received 94 and was elected.

THE ADJOURNED SESSION

The adjourned session commenced on October 2, 1820, and on the 3d, Governor Miller delivered his message. He began by saying: "I have the satis-

faction to inform you that the difficulties which embarrassed the Legislature at the commencement of this session, in February last, produced by the doubts which arose as to the legality of the election of the Legislative Council, have been removed by the passage of a law of Congress sanctioning and legalizing the organization of the territory in the second grade of government."

Later on in his message he said: "In consequence of not hearing from Washington City, of the passage of the law legalizing the organization of the territory, in time, some of the acts passed at your last meeting have not been approved. They are returned to you; and I would advise the revision of them, and, where they are penal, to attach higher penalties."

At this session the counties of Crawford and Independence were created; the seat of government was removed to Little Rock, the act to take effect on June 1, 1821; Courts of Common Pleas were established; acts to suppress dueling and trading in horses with the Indians were passed; the governor was authorized to apportion the representation for the next General Assembly, and several memorials to Congress were adopted. The Assembly adjourned sine die on October 25, 1820.

ELECTION OF 1821

On August 6, 1821, an election was held for delegate in Congress and members of the General Assembly. In apportioning the representation, the governor gave each of the nine organized counties a member of the Legislative Council. Pulaski and Crawford counties were made one representative district and the County of Lawrence was given two members of the House of Representatives. All the other counties were given one member each. James Woodson Bates was reelected delegate over Matthew Lyon by a vote of 1,081 to 1,020. Lyon contested the election, but Bates was given the seat.

The members of the Legislative Council from the several counties were: Arkansas, Neil McLane; Clark, Samuel C. Roane; Crawford, James Billingsley; Hempstead, Robert Andrews; Independence, Peyton Tucker; Lawrence, William Jones; Miller, Claiborne Wright; Phillips, Daniel Mooney; Pulaski, Benjamin Murphy. In Clark County Samuel C. Roane and Eli Langford received the same number of votes. A special election was called to decide the result, when Roane defeated his opponent by six votes.

In the reports of the secretary of state, the statement is made that the names of members of the House of Representatives could not be found, but from the files of the Gazette it is ascertained that the following were elected from the different counties and districts: Arkansas, William Trimble; Clark, Thomas Fish; Crawford and Pulaski, Thomas H. Tindall; Hempstead, John Wilson; Independence, Robert Bean; Lawrence, John Hines and Jesse James; Miller, Stephen R. Wilson; Phillips, William B. R. Horner. Edmund Hogan contested the election of Thomas H. Tindall and was seated by the House.

SECOND LEGISLATURE

The members elected in August, 1821, met in regular session on the 1st of October. Samuel C. Roane was elected to preside over the council and Richard

Searcy was again chosen secretary. William Trimble was elected speaker of the House and Ambrose H. Sevier was elected clerk. This session was held in Little Rock. Pope, in his "Early Days in Arkansas," says: "Shortly after the seat of government was located at Little Rock, a common one-story frame building—a mere shell—was erected on the block of ground bounded by Main and Scott streets, and by what are now Fifth and Sixth streets. These two last named streets were then known as Elizabeth and Orange streets. This building contained two rooms about twenty feet square, divided by a hall. Here the Legislative Assembly met every two years."

A number of laws of a local nature, such as providing for the location of county seats, erecting jails, etc., were passed at this session. Among the more important acts were those establishing circuit courts; authorizing the governor to borrow not exceeding $10,000 for territorial expenses; altering the method of assessing property for tax purposes; and changing the manner of voting at general elections from ballot to viva voce. Governor Miller being absent in New Hampshire, the laws enacted by this General Assembly were approved by Robert Crittenden.

In connection with the location of the capital at Little Rock, it may be interesting to the reader to know that Governor Miller, soon after coming to the territory, purchased a tract of land at Pyeattstown, built a house and became a resident there. Prior to that time he had lived in the barge that brought him to Arkansas. The settlement of Pyeattstown, located on the eminence known as Crystal Hill, about twelve miles above Little Rock, was founded by two brothers, James and Jacob Pyeatt, who came from North Carolina in 1807. When the question of removing the seat of government from Arkansas Post came up in 1820, the governor tried to have it located at Pyeattstown, as being nearer the geographical center of the territory, but the influence in behalf of Little Rock was too powerful to be overcome.

ELECTION OF 1823

The political campaign of 1823 was the most exciting that had occurred in Arkansas up to that time. James Woodson Bates had been elected delegate to Congress in 1819 and 1821, and it was the general impression that he would be a candidate for a third term. In the fall of 1822 Henry W. Conway met Mr. Bates in the southern part of Missouri, while the latter was on his way to Washington, and secured his promise not to run for a reelection. Mr. Conway then announced himself as a candidate. Mr. Bates afterward changed his mind. He wrote to Joseph Hardin, of Davidsonville: "I have now reasons that strongly induce the wish to serve another term—reasons as well with reference to myself as to the territory."

Bates was the law partner of Robert Crittenden. When his letter to Mr. Hardin was made public, Crittenden at once took steps to defeat his partner's aspirations. Some of Bates' friends afterward charged that this was because the delegate had refused to do Crittenden's bidding in certain matters. In the meantime Judge Thomas P. Eskridge and William Trimble had announced themselves as candidates. The secretary saw that, with so many candidates in the field, Bates would probably be elected. He called a conference in Judge

Roane's office, at which Conway, Eskridge and Trimble were present, and persuaded Eskridge and Trimble to withdraw. Judge Eskridge's notice of withdrawal appeared in the Gazette of February 4, 1823, but Trimble did not announce his intention to withdraw until the 6th of May. It was about this time that the sobriquet of "Cardinal Wolsey" was conferred on Crittenden.

Several writers have stated that the opposing candidates for delegate in 1823 were Henry W. Conway and James Woodson Bates, and Hempstead, in his "Pictorial History of Arkansas," goes so far as to give Conway's majority as 1,586. This is a mistake. When Bates returned to Arkansas upon the adjournment of Congress, he saw that the cards had been stacked against him and refused to be a candidate. The withdrawal of Trimble and Eskridge and the refusal of Bates to enter the race, left a clear field for Mr. Conway—but for a short time only. Then Maj. William Bradford, commandant at Fort Smith, announced his candidacy. At the election on August 4, 1823, Conway received 1,300 votes, Bradford received 921, and three were reported as "scattering."

The feeling developed during this campaign divided the people of Arkansas into two factions—one led by Robert Crittenden and the other by Henry W. Conway and Ambrose H. Sevier. They were not really parties, though in later years local writers fell into the habit of referring to them as the Whig and Democratic parties, without proper recognition of the fact that the Whig party, as a political organization, did not come into existence until 1834. This designation of the respective factions was probably due to the fact that Robert Crittenden was from Kentucky and a great admirer of Henry Clay, who afterward became the great Whig leader, while Conway and Sevier were from Tennessee and enthusiastic supporters of Gen. Andrew Jackson.

THIRD LEGISLATURE

Although the interest of the campaign centered upon the election of a delegate to Congress, the election of members to the General Assembly was not neglected. On June 5, 1823, Governor Miller issued his proclamation apportioning one member of the Council and one member of the House to each of the nine organized counties in the territory. The members of the Council elected from the respective counties were: Arkansas, Andrew Latting; Clark, Samuel C. Roane; Crawford, John McLean; Hempstead, Matthew Scobey; Independence, Townsend Dickinson; Lawrence, William Humphreys; Miller, Elijah Carter; Phillips, Daniel Mooney; Pulaski, Thomas Mathers.

In the House the several counties were represented as follows: Arkansas, Terence Farrelly; Clark, Henry L. Biscoe; Crawford, John Nicks; Hempstead, John Wilson; Independence, Robert Bean; Lawrence, Thomas Culp; Miller, Joshua Ewing; Phillips, William B. R. Horner; Pulaski, Ambrose H. Sevier.

When the Assembly was convened on October 6, 1823, Samuel C. Roane was elected president of the Council and Thomas W. Newton was chosen secretary. The House organized by electing Terence Farrelly speaker and David E. McKinney clerk. The session lasted until October 31st. Memorials to Congress were adopted praying for an appropriation for a road from Memphis to Little Rock; for the appointment of a surveyor-general for the territory; for

the establishment of certain military posts in the Indian country as a protection to settlers; protesting against the proposed western boundary; and for the extension of the right of preemption. Few laws of a general nature were enacted. The most important of these were: Amending the laws relating to assessment and taxation; establishing the office of prosecuting attorney; regulating the practice in the circuit courts; creating the County of Chicot, and providing for the collection of taxes upon the military bounty lands. This was the last session of the General Assembly during Governor Miller's administration.

Governor Miller has been frequently criticized for his delay in coming to Arkansas after his appointment. Much of that delay was because he was detained in obtaining the arms and ammunition for the territorial militia. Upon his arrival at Arkansas Post he soon recognized the necessity of providing some means of defending the settlements again the possibility of Indian depredations. One of his first official acts was to appoint William O. Allen brigadier-general of militia. Allen organized a brigade, one regiment of which was commanded by Col. Alexander S. Walker. It may be that this promptness forestalled any hostile demonstration on the part of the Indians—at least no outbreak occurred. But had Governor Miller failed to take the precaution to organize and arm the militia, and the lives and property of the settlers had become endangered by savage raids, he would have been more severely, and more justly, criticized for neglect of duty than for his delay in coming to the territory.

Governor Miller was endowed with common sense and the courage to use it. He was respected by the Indians, among whom he spent a large part of his time. It did not take him long to discover that the two races could not live as neighbors, and at every favorable opportunity he urged the removal of the Indians from Arkansas. The General Government finally acted upon his advice and within a few years after he left Arkansas there was not a red man left within the territorial limits.

IZARD'S ADMINISTRATION

After the resignation of Governor Miller, in the fall of 1824, Robert Crittenden acted as both secretary and executive of the territory until the arrival of Governor George Izard. Some writers state that Governor Izard's appointment dates from March 5, 1825, and that he was appointed by President John Quincy Adams. G. E. Manigault, of Charleston, South Carolina, in a biography of General Izard, says: "On the 4th day of March, 1825, he was appointed by President Monroe governor of the Territory of Arkansas, one of the last acts of Monroe's administration." As Mr. Manigault had access to Governor Izard's private papers, this statement ought to settle the question as to when and by whom he was appointed.

George Izard, the second territorial governor of Arkansas, was born on October 21, 1776, at Richmond, England, where his parents were sojourning. His family were among the early settlers of South Carolina. His father, Ralph Izard, was educated at Cambridge, England, came to America some years befor the Revolution, and in 1767 married Alice de Lancy, a niece of James de Lancy, lieutenant-governor of New York. In 1777 Ralph Izard went to Paris

GRAVE OF GOVERNOR GEORGE IZARD, MOUNT HOLLY CEMETERY, LITTLE ROCK

RALPH AND ALICE (DE LANCEY) IZARD OF SOUTH CAROLINA
Parents of Gen. George Izard, second governor of Arkansas Territory

and in 1779 returned to America, leaving his family in France, where George received his first schooling. In 1789 the family removed to New York, then the seat of government of the United States, Ralph Izard having been elected one of the first senators from South Carolina. When the meeting of Congress was changed to Philadelphia, George entered the University of Pennsylvania (then known as the Fourth Street College), where he graduated in 1792 at the early age of fifteen.

Shortly after his graduation he was sent to London, in care of Thomas Pinckney, then minister to England, to attend the military schools of Europe. He first entered the Prince of Wales' Royal Military Academy at Kensington, but remained there only a short time. In September, 1792, he became a student in a military school at Marburg, Germany. His next school was the "Ecole du Genie," an institution for teaching the art of military engineering, located at Metz. While here he received a commission as lieutenant in the United States artillery and engineers, and in 1797 returned to America. The Secretary of War placed him in charge of the construction of Castle Pinckney, in Charleston Harbor, as engineer. In 1799 he was promoted to captain and in 1802 was placed in command of the post at West Point. In April, 1803, he resigned his commission and retired to private life.

Early in 1812, when war with England became imminent, George Izard was commissioned colonel and placed in command of the Second Regiment of Artillery. The following year he was commissioned brigadier-general and in 1814 was promoted to major-general. Educated in foreign military schools, his "advanced ideas" did not meet with the approbation of some of the American generals, and toward the close of the year 1814 he retired from the army. He then lived quietly with his family in Philadelphia until appointed governor of Arkansas Territory. In 1816 he published his official correspondence with the War Department as a vindication of his management of the campaign on the Canadian frontier in 1814. Says Manigault:

"As governor his life was uneventful. He commenced the organization of the militia, and recommended that an arsenal be located at Little Rock, as trouble seemed imminent with the Indians. The Choctaw and Quapaw and other tribes were removed to reservations while he was in office. He did not find many congenial souls in that far-away territory. He was misunderstood and considered an aristocrat and a martinet, although a few discriminating ones could see his good qualities. He transferred his library to his new home, and much of his time was spent with his books."

On March 4, 1828, his three-year term having expired, Governor Izard was reappointed by President Adams, but he did not live to complete his second term. His death occurred on Saturday, November 22, 1828, after an illness of about a month, following an attack of gout. He was buried the following Sunday, with the honors of war, in the old cemetery, where the Peabody Public School was afterward built. When Mount Holly Cemetery was established in 1843, his remains were removed there and interred in the Ashley burial inclosure. An unpretentious marble slab, the inscription dimmed by time, marks his last resting place.

Governor Izard had a hobby for collecting razors. It is said that he would never accept any present from a friend except a razor. He brought with him

to Little Rock seven razors—one for each day in the week—and would never shave with any except the one allotted to that particular day. A little while after his death two of his sons came to Arkansas to look after his property. The books composing his fine private library were boxed up for shipment and were lost in transit by the sinking of the steamer.

EXECUTIVE TROUBLES

When the new governor arrived at Little Rock, about the last of May, 1825, he found territorial affairs in a state of chaos. Miller had been gone more than six months and Crittenden was in Washington. The public business was "just running itself." A story has been told that Governor Izard asked one of the leading citizens how they managed to get along in such a way and received the reply: "Oh, everybody does about as he pleases anyhow, and we get along just as well when the governor is absent as we do when he is here."

To a man who had been educated in military schools—a man to whom order and discipline meant everything, this loose-jointed method of conducting territorial affairs was very unsatisfactory. On June 6, 1825, he wrote to the Secretary of War: "The absence of Mr. Crittenden, secretary of this territory, and lately acting governor, has prevented me from making myself acquainted with the details of public affairs in this quarter. On the subject of the Quapaw treaty, I am informed by Colonel Conway, delegate to Congress, that he understood instructions had been forwarded some time ago from the department of the executive here. These I have not found among the papers delivered to me by the person who was left in charge of the public documents by Mr. Crittenden."

Again on the 18th he wrote: "The protracted absence of the secretary of this territory leaves me in the dark respecting the measures adopted by him before my arrival. There are here in the hands of the gentleman who has charge of his papers, bills on New Orleans, drawn by the treasurer of the United States, payable to the order of R. Crittenden, Esq., Acting Governor, for $10,500, which of course cannot be negotiated. These funds are, I presume, intended to meet the annuities and other payments which are, or soon will be, due to the Indian tribes. * * * There is also a sum in specie ($3,000) lodged at Mr. William Montgomery's at the mouth of White River, of which I received the first intimation from Major Duval. He states that this money was to be delivered to my order, and that it was intended for the Cherokees of his agency. * * * It has been, I understand, for several months at its present place of deposit."

It was in this letter that the governor recommended the establishment of an arsenal at Little Rock. Mr. Crittenden returned soon after it was written. When he learned of Governor Izard's references to his prolonged absence, he regarded them as a reflection upon his official conduct and an estrangement between him and the governor resulted. It has been said that Crittenden expected to be appointed governor to succeed Miller, which was the reason for his dislike of Izard. Shinn says: "The real reason must be sought in the abnormal propensity of Crittenden to control, and the abnormal propensity of Izard to think for himself and follow his own bent."

A slight disagreement also existed for a time between the governor and Maj. Edward W. Duval, who had been appointed agent for the Cherokee Indians by President Monroe in January, 1824, and held the position until his death near the close of the Adams administration. Duval undertook to ignore Izard by reporting direct to Washington. Izard, by virtue of his office as governor, was superintendent of Indian affairs in the territory. He was not the kind of man to be snubbed or overlooked—not that he was jealous of his prerogatives, but because he believed that where a system had been established it should be followed. After he explained the matter to the Interior Department, Duval reported regularly to the governor and in time became his friend.

As an illustration of the difficulties under which the territorial government of Arkansas labored at this period, when Governor Izard tried to cash the drafts mentioned in his letter of June 18, 1825, he found it impossible to do so in Little Rock. There were no banks and when he appealed to the merchants and others, he was told there was not the necessary amount of ready cash in the town. Under date of July 2, 1825, he wrote to the Secretary of War: "I shall probably be under the necessity of employing a confidential messenger to proceed to New Orleans for the amount of the drafts now in Mr. Crittenden's hands and payable to his order. The sum is $10,500."

CAMPAIGN OF 1825

About the time Governor Izard arrived in Little Rock, the political campaign for delegate to Congress and members of the General Assembly opened. Compared with the campaign of two years before, this one was a tame affair. Henry W. Conway and James Woodson Bates were the opposing candidates for delegate. The returns of this election, which occurred on August 1, 1825, cannot be found, but it is known that Conway's majority was larger than that of 1823.

In the nine organized counties, members of the Council were elected as follows: Arkansas, Bartley Harrington; Clark, Jacob Barkman; Crawford, William Quarles; Hempstead, Daniel T. Witter; Independence, J. Jeffrey; Lawrence, J. M. M. Kuykendall; Miller, Claiborne Wright; Phillips, J. W. Calvert; Pulaski, Alexander S. Walker.

The members of the House from the several counties were: Arkansas, William Montgomery; Clark, John Callaway; Crawford, John Nicks; Hempstead, John Wilson; Independence, Robert Bean; Lawrence, John Hines; Miller, Aaron Hanscom; Phillips, Henry L. Biscoe; Pulaski, Ambrose H. Sevier.

LEGISLATURE OF 1825

This was the fourth regular session of the Territorial General Assembly. It met on October 3, 1825, and continued until the 3d of November. Jacob Barkman was elected president of the Council and Robert Bean was speaker of the House. At this session the counties of Conway, Crittenden and Izard were created; the revenue laws were amended; part of the law to suppress the practice of dueling was repealed; general appropriations for the territory

were made; and by resolution the governor was authorized to have 500 copies of the militia laws printed. A number of special acts, such as locating county seats, licensing persons to operate ferries or maintain toll bridges, were passed.

The year 1826 was a busy one for Governor Izard. The Quapaw Indians were removed to the Red River country, and the governor began negotiations with the Cherokee which resulted in the cession of their land in Arkansas two years later. Early in the year a war party of Cherokee, Delaware and some of another tribe killed five Osage warriors near the Red River and war between the two nations—Cherokee and Osage—seemed for a time almost certain. Through his ability as an organizer, the governor succeeded in bringing about better feeling between the tribes. In all his dealings with the natives he never made a promise that was not kept. Heckaton, the Quapaw chief, said that Izard was a white man of the right kind.

ELECTION OF 1827

On August 6, 1827, occurred the biennial election for delegate to Congress and members of the General Assembly. The campaign for delegate opened early and was one of virulent crimination and recrimination. Henry W. Conway was a candidate for reelection. His opponent was Robert C. Oden, one of the leading lawyers of the Little Rock bar. He had served as clerk of Pulaski County from 1819 to 1821; was appointed prosecuting attorney of the second circuit on November 1, 1823; was one of the witnesses to the Quapaw treaty of 1824; and was at one time lieutenant-colonel of the Second Regiment of Arkansas militia.

A correspondent of the Arkansas Gazette, signing himself "A Voter of Pulaski County," espoused the cause of Mr. Conway, and "A Citizen of the Territory" took up the gage in behalf of Mr. Oden. The articles written by those two men were extremely personal and in some instances vituperative. The former asserted that "A Citizen of the Territory" received his inspiration from Robert Crittenden. Mr. Crittenden denied this and tried to ascertain the name of "A Voter of Pulaski County," but William E. Woodruff, editor of the Gazette, refused to divulge the identity of the correspondent. In his reply to Crittenden he stated that he was prepared to sustain the charges "if you think proper to require me to do so in a legal manner." Later Woodruff declined to print a circular for Mr. Oden, on account of its abusive language, and Oden had the circular printed in Memphis. In fact, the campaign was one of the "mud-slinging" type. After the election Mr. Crittenden brought suit against William E. Woodruff for libel, but when he found that Mr. Woodruff was really "prepared to sustain the charges," the action was dismissed. At the election Mr. Conway received 2,427 votes and Mr. Oden received 856.

FIFTH GENERAL ASSEMBLY

In 1827 the number of counties had increased to thirteen, and each county was given a member of the Legislative Council. Those elected in August, 1827, were: Arkansas, Terence Farrelly; Chicot, John Weir; Clark, Isaac Pennington; Conway, Amos Kuykendall; Crawford, John Dillard; Crittenden, George

AMBROSE H. SEVIER
Territorial delegate to Congress, 1827-1836, and first United States senator

C. Barfield; Hempstead, Daniel T. Witter; Independence, David Litchfield; Izard, Jacob Wolf; Lawrence, William Humphreys; Miller, John H. Fowler; Phillips, Edwin T. Clark; Pulaski, Edmund Hogan.

No increase in the membership of the House was made under the new apportionment, the new counties being attached to some of the older ones to form representative districts. The several counties and districts were represented as follows: Arkansas and Chicot, William Montgomery; Clark, Joseph Hardin; Conway and Pulaski, Ambrose H. Sevier; Crawford, Mark Bean; Crittenden and Phillips, John Johnson; Hempstead, John Wilson; Independence and Izard, John Ringgold; Lawrence, George S. Hudspeth; Miller, James Clark.

The regular session of this Legislature began on October 1, 1827, and adjourned on the last day of the month. Daniel T. Witter was elected president of the Council and Ambrose H. Sevier was chosen speaker of the House. The principal acts of the session were those creating the counties of Lafayette, Lovely and St. Francis; dividing the Quapaw purchase between the counties of Arkansas and Pulaski; revising the judicial system of the territory; prohibiting constables from selling negro slaves under execution; amending the militia laws; making the usual appropriations for the territorial government; and authorizing the governor to have 600 copies of the acts printed in pamphlet form.

CRITTENDEN-CONWAY DUEL

In 1824 the Treasurer of the United States at Washington intrusted Henry W. Conway with $7,000 to pay the Quapaw Indians for their reservation. At that time it was no unusual thing for persons handling trust funds to apply some of the money to their own use and replace it before final settlement. Mr. Conway used some of the Quapaw fund. When he reached Little Rock, he explained to Mr. Crittenden, then acting governor, what he had done and asked what sum would be needed to satisfy the Quapaw demand. Crittenden replied: "About six thousand dollars." Conway then paid him $6,400, taking his receipt. A few months later the balance of $600 was returned to the Treasurer of the United States at Crittenden's request. In the campaign of 1825, when Conway and Bates were the opposing candidates for delegate, Crittenden rather favored Conway and nothing was said about the matter. Two years later Crittenden was a supporter of Robert C. Oden, who brought Conway's appropriation of trust funds into the campaign as an issue. Mr. Conway admitted the truth of Oden's charges, but explained that he had withheld the money with the consent of Mr. Crittenden. In an article in the Gazette of June 19, 1827, Crittenden denied that he had ever given Conway permission to retain the money. The next issue of the paper contained a communication from Mr. Conway, in which he said:

"I can only reiterate what I have already stated in my circular of the 18th of May, that it was by his permission and assent that I retained the money, or I should have paid over to him the full amount, before any part of the money was wanted for the treaty. * * * In a subsequent conversation on the same subject, Mr. Crittenden mentioned that the whole of the money, he thought, would not be wanted for the treaty, and if it were not perfectly convenient

for me to repay it then, that I could refund it to the Government on my return to Washington."

The whole question now settled down to one of veracity between Mr. Conway and Mr. Crittenden. Conway's defeat of Oden by a vote of nearly three to one showed clearly which one the people of the territory were most inclined to believe. That expression of confidence evidently chagrined Mr. Crittenden. Under date of August 28, 1827, he wrote to Mr. Conway as follows:

"Sir—I had believed that the newspaper altercation between us had closed with my last publication, and that you would have sought a different issue.

"Indifferent as to who should make the call, I now announce to you that I will challenge you on or before the 20th of October next. I regret, sir, that the peculiar situation of my family precludes an immediate settlement of our difference.

"Colonel Oden will hand you this note and act for me for the present Col. Benj. Desha will act as my first friend after his arrival, which will be in six or eight days.

"Yours, &c.,

"Rob't. Crittenden."

The duel was fought early on the morning of October 29, 1827, on the east side of the Mississippi River, opposite the mouth of the White River. Wharton Rector acted as Mr. Conway's second and Benjamin Desha as Mr. Crittenden's. At the first and only fire, Mr. Conway was mortally wounded. He was taken across the river, to the house of William Montgomery, where he died on the 9th of November. The bullet from Conway's pistol passed through the lapel of Crittenden's coat, but did not inflict any injury. Just before leaving Little Rock for the rendezvous, Mr. Conway, perhaps with a premonition of his fate, placed in the hand of William E. Woodruff the above letter he had received from Mr. Crittenden and letters from Sylvanus Phillips and William Montgomery of a later date, to be published in the Gazette in the next issue after the duel. The letters were intended to show that the affair was not of his seeking, but that he had been forced into it. Mr. Phillips wrote:

"In speaking on the subject of the dispute between yourself and Mr. Crittenden, he (Mr. Crittenden) said he had been badly treated by you and your party, and that there would be a good deal of hard fighting before or after the election; that if you did not challenge him, he would challenge you," etc.

Mr. Montgomery said: "Some time in July, Mr. Crittenden and myself got into conversation about the election, and the abuse in the Gazette on different characters. He said that yourself and he must fight—that it could not be got over, without you made acknowledgments, which he expected you would not do. He also said he had tried every way to get you to challenge him, and if you did not, he would challenge you. I mention this as a friend, that you may be on your guard, and practice, if it is your opinion he will do so."

Mr. Conway's untimely death was sincerely mourned throughout the territory. A Kentucky newspaper, commenting upon the affair, said: "Down in Arkansas, when a man can not be gotten rid of at the polls, he is immediately killed off in a duel."

SPECIAL ELECTION

The death of Mr. Conway left a vacancy in the office of delegate to Congress. On November 13, 1827, Governor Izard issued his proclamation calling a special election on the third Monday in December to fill the vacancy. Five candidates presented themselves, viz: Andrew Scott, Richard Searcy, Benjamin Desha, Ambrose H. Sevier and Alexander S. Walker. Desha and Walker withdrew before the election. Sevier received 939 votes; Searcy, 883, and Scott, 116.

SPECIAL SESSION OF 1828

The most important event of the year 1828 was the extraordinary session of the General Assembly, which was called by Governor Izard to meet on October 6, 1828. The reasons for calling the special session were thus stated by the governor in his message:

"The act relative to the organization of our Superior Court, passed at the last session of Congress, and the treaty with the Cherokee Indians, ratified on the 28th of May, by which they cede the lands now and lately in their possession within this territory, and receive in exchange a large tract of country west of our late boundary, as well as a considerable portion of the county laid off at your last session under the name of Lovely, rendered it indispensable that you should be summoned to an extra session.

"The western boundary of our territory is, by the above mentioned treaty, so altered as to leave the Choctaw and Cherokee settlements entirely out of our limits. It is probable that in a few months the white population now in Lovely County will, under the liberal provisions made for their indemnification, have removed into the newly acquired district; and it has therefore become necessary to organize the latter in the manner hitherto pursued by the constituted authorities. A new arrangement of the circuits is also called for by the existing state of things. To these two important subjects, I invite your prompt and earnest attention."

There were several changes in the personnel of this Assembly from that of 1827. Ambrose H. Sevier had been elected delegate to Congress and his place was filled by Joseph Henderson. John Dillard, of Crawford County, Daniel T. Witter, of Hempstead, and John H. Fowler, of Miller, had resigned and their places were taken by Robert Burton, William P. Hickman and John Dunlap, respectively. The vacancy caused by the death of Edmund Hogan, of Pulaski County, was filled by the election of John H. Cocke. Edwin T. Clark was elected president of the Council, and John Wilson was chosen speaker of the House.

Some friction between the Legislature and the governor arose during the session. On October 17, 1828, Governor Izard sent the following special message to the Assembly: "Your bills, numbered 1, 2, and 3, have each respectively been approved. The only object of your being convened at this time, was, that you might act without delay on the two subjects submitted to you in my message of the 7th instant.

"Your meeting last autumn was marked by a zealous attention to diminishing the expenses of the territorial government; and to that effect several

measures of retrenchment were adopted, which, though they bore hard upon some branches of the public service, especially the act which abolished the compensation to grand jurors, yet were cheerfully submitted to by your constituents, from a sense of the depressed state of our treasury. But I cannot refrain from remarking, that the unnecessary protraction of your present session, or its being engaged in any discussions foreign to the matters which occasioned you to be summoned here, will be attended with a much greater expenditure of the public money than can be compensated for by the saving produced by the restrictions of 1827."

On the 21st a select committee of the Council reported a long preamble and resolutions, relative to the message. The resolutions, which were concurred in by the House, were as follows:

"1. Resolved, that a dictatorial power assumed by the governor of this territory, over the representatives of the people, is inconsistent with the principles of free government.

"2. Resolved, that the Legislature of this territory, when convened on extraordinary occasions or for special purposes, have the power to deliberate and act on all subjects, either of a public or a local nature, that to them may seem necessary for the good government of the territory.

"3. Resolved, that in accomplishing the important measures for which we were convened, we regret that from the importance of the measures that have come before us, we have been compelled to protract the present session a few days longer than we anticipated.

"4. Resolved, that we regret the cause that has made it necessary, in justification of ourselves, and in defense of the liberties of the people, to spread these resolutions on our journals."

Notwithstanding this assertion of independence, the Assembly adjourned sine die on the 22d. The judiciary system was changed to accommodate the additional judge authorized by the act of Congress of April 17, 1828; the laws for the collection of debts were amended; Lovely County was abolished and Washington County was erected, to include that portion of Lovely remaining within the territorial boundaries; the greater portion of the Cherokee lands was attached to Conway, Independence and Izard counties and the remainder to Crawford County; and a number of acts of local significance were passed. The County of Sevier was also created at this session.

POPE'S ADMINISTRATION

The year 1829 opened with Robert Crittenden acting as governor. About the middle of January, 1829, President John Quincy Adams sent to the Senate the nomination of Hutchings G. Burton, of North Carolina, as Governor Izard's successor. A majority of the senators took the view that the appointment should be left to the incoming administration and Mr. Burton's nomination was not confirmed. Andrew Jackson was inaugurated on March 4, 1829, and on the 9th the appointment of John Pope, of Kentucky, was confirmed by the Senate.

John Pope, the third territorial governor of Arkansas, was born in Prince William County, Virginia, in 1770. When he was about nine years old the

family removed to Kentucky. John attended Doctor Priestly's school at Bardstown, Kentucky, and while still in his teens had the misfortune to lose his right arm in a fodder cutter. He then attended William and Mary's College at Williamsburg, Virginia, after which he took up the study of law. In 1794 he was admitted to the bar and began practice at Lexington, Kentucky. In 1800 he was one of the Presidential electors on the Federalist ticket in Kentucky; was elected to the Legislature from Fayette County in 1802 and again in 1806 and in the latter year was elected United States senator. In the Senate his colleague was Henry Clay. Mr. Pope opposed the declaration of war against England in 1812, which caused his defeat for reelection to the Senate. He then resumed the practice of law at Lexington until 1816, when he was the Federalist candidate for Congress against Henry Clay, who was elected. In 1819 he was appointed secretary of state of Kentucky. Although a brother-in-law of John Quincy Adams, he supported Andrew Jackson for the Presidency in 1824. From 1825 to 1829 he represented Washington County in the State Senate of Kentucky. He took an active part in the political campaign of 1828, canvassing Kentucky and Virginia in the interest of Andrew Jackson. On March 9, 1829, he was appointed governor of Arkansas Territory, as already stated.

Governor Pope arrived at Little Rock on the last day of May, 1829, and assumed the duties of his office. On the 24th of June he embarked on the steamboat Facility to return to Kentucky for the purpose of bringing his family to Little Rock. He was the first of the territorial governors to establish his family in the territory. In March, 1831, he was reappointed for a term of four years, Congress having added a year to the term of territorial governors. He was succeeded by William S. Fulton on March 9, 1835.

Upon retiring from the office of governor, Mr. Pope returned to Kentucky. He was defeated for Congress in 1836 by Benjamin Hardin, but was elected in 1838 and twice reelected, serving three consecutive terms. In 1844 he visited Arkansas on business, went from there to his home in Washington Kentucky, where his death occurred on July 12, 1845, one month and four days after the death of his personal and political friend, Andrew Jackson.

Governor Pope was married three times. His first wife was a Miss Christian, who died without issue. His second wife, to whom he was united while United States senator, was Miss Elizabeth Johnson, a sister of Mrs. John Quincy Adams and a daughter of Joshua Johnson, who was the American consul-general at London in 1794-95. She was a niece of Thomas Johnson, who was elected to the Continental Congress in 1775; was brigadier-general of Maryland militia; served as colonial governor of Maryland from 1777 to 1779, and was subsequently one of the associate justices of the United States Supreme Court. Two children—Florida and Elizabeth—were born to Governor Pope's second marriage. Florida died in girlhood and Elizabeth became the wife of John H. Cocke, a prominent attorney of Little Rock. The third wife was the widow of General Walton, of Kentucky. No children were born to this union.

ELECTION OF 1829

On April 8, 1829, William S. Fulton, of Alabama, was appointed secretary, to succeed Robert Crittenden. Both Pope and Fulton had been loyal supporters

of Andrew Jackson the year before. Fulton reached Little Rock on May 21, 1829, and immediately assumed the duties of secretary and acting governor. His first official act was the appointment of Jonathan W. Boone as sheriff of Chicot County, to fill the vacancy caused by the death of Thomas Knox. When Governor Pope arrived ten days later, he relieved the secretary of part of his official burden.

Governor Pope's first official proclamation was issued on June 2, 1829, apportioning the members of the House of Representatives for the coming Legislature. The census showed 11,500 free white males. On the ratio of one representative for each 500 free white males, the membership of the House was increased to twenty-three, the Council remaining the same, that is one member from each county.

The election occurred on the 3d of August. Ambrose H. Sevier and Richard Searcy were candidates for delegate to Congress. Sevier was reëlected, receiving 2,064 votes to Mr. Searcy's 1,756. The members of the Council elected from the respective counties were: Arkansas, Terence Farrelly; Chicot, John Weir; Clark, David Fish; Conway, Amos Kuykendall; Crawford, Gilbert Marshall; Crittenden, George C. Barfield; Hempstead, George Hill; Independence, Aaron Gillett; Izard, Jacob Wolf; Lafayette, Jesse Douglas; Lawrence, Coleman Stubblefield; Miller, George F. Lawton; Phillips, Fleetwood Hanks; Pulaski, Charles Caldwell; St. Francis, John Johnson; Sevier, Benjamin Patton; Washington, James Billingsley.

The members-elect of the House were as follows: Arkansas County, William Montgomery; Chicot, Benjamin L. Miles; Clark, John Speer and Joseph Hardin; Conway, Thomas Mathers; Crawford, Mark Bean, Jesse L. Cravens and Richard C. S. Brown; Crittenden, William D. Ferguson; Hempstead, John Wilson and Elijah King; Independence, Caleb S. Manly and Charles McArthur; Izard, Robert Livingston; Lafayette, James Burnside; Lawrence, George S. Hudspeth and John Rodney; Miller and Sevier, James Clark; Phillips, Edwin T. Clark; Pulaski, Wharton Rector and Alexander S. Walker; St. Francis, Wright W. Elliott; Washington, John Alexander.

SIXTH LEGISLATURE

The sixth regular session of the General Assembly began on October 5, 1829. Charles Caldwell, of Pulaski County, was elected president of the Council and John Wilson, of Hempstead, speaker of the House. Governor Pope was then on the way back from Kentucky, and his message was not delivered until the 13th. In that message he laid the foundation for what might be aptly termed "the era of internal improvements in Arkansas Territory." He dwelt at considerable length upon the importance and necessity of opening and keeping in repair roads from the interior to the Mississippi River, especially the military road from Memphis to the western frontier by way of Little Rock. This road was projected in 1824, when Congress appropriated $15,000 for its construction. Concerning its condition and completion, Governor Pope said:

"On my return from Kentucky, I determined to travel this military road, to enable me to obtain more correct information, and to give an opinion to the General Government with more confidence and satisfaction to myself. * * *

WILLIAM S. FULTON
Last governor of the territory and first United States senator

From this place to the River St. Francis, a distance of more than one hundred miles, the road is the best over which I have traveled, with the exception of a few miles between this and Mr. Gray's (on the White River) the condition of which is a reproach to Little Rock and the County of Pulaski. * * * In order to accomplish the completion of this road, the liberality of the National Government may be again appealed to with success, if that body can be satisfied that the project is practicable, and that the funds given will be faithfully applied." (For a further history of this and other roads, see the chapter on Early Transportation.)

On another subject of vital importance to the territory, the governor said: "That this place will ever continue to be the seat of government, not only in its territorial form, but also after the territory shall assume the dignified rank of a member of the Confederation, is generally admitted. The temporary building which you now occupy is private property, too small and inconvenient, and with your increased number unfit for your deliberations. Your numbers and business will continue to progress, and I submit to your better judgment whether some provision ought not to be made for erecting the necessary public buildings for the General Assembly, the Superior Court and other public officers connected with the administration of the government. If the population of the territory is too small or too poor, will not Congress, if applied to, appropriate a portion of the public lands for this purpose? I confidently believe they will, and certainly consider this fund fairly applicable to the erection of the public buildings and internal improvement of the territory."

This Legislature, like its predecessors, spent much of its time in considering and passing bills of a local character. But, following the recommendations of the governor, it enacted more constructive legislation than had any previous General Assembly. Pursuant to an act of Congress, the Assembly elected Richard C. Byrd territorial auditor, James Scull, territorial treasurer, and passed an act defining their duties. On January 6, 1829, President Adams approved an act giving the people the privilege of electing all civil officers except the governor, judges of the Superior Court, brigadier-general of the militia, auditor, treasurer and justices of the peace. To carry this law into effect, an act was passed at this session of the General Assembly authorizing an election to be held on the first Monday of January, 1830, for county officers and prescribing their duties. The counties of Hot Spring, Jackson, Jefferson, Monroe, Pope and Union were created. Other acts of a general nature were: "To revise the judiciary system and establish county courts; to reorganize the militia on a more efficient basis; to allow compensation to grand jurors; to punish horse thieves; to prevent gaming; and to revise the territorial fiscal system."

Memorials to Congress were adopted asking for the passage of laws to establish a military post on the Arkansas River below Fort Gibson for the protection of settlers; that the governor of Arkansas Territory be given general superintendence over the Indian tribes bordering on or adjacent to the territory; for the right of preemption for every actual settler of Arkansas; and for an appropriation for the erection of public buildings and a residence for the governor. Appropriations for the construction of roads were also asked for, to wit: 1. For the completion of the military road between Little Rock and Memphis. 2. For a road from Helena to intersect the military road at the

most suitable point. 3. For a road from Strong's, on the St. Francis River, to Litchfield, on the White River. 4. For a road from Point Chicot to Washington, the county seat of Hempstead County. 5. For a road from Little Rock to Villemont, Chicot County. 6. For a road from Boonville, Missouri, to the Arkansas River, via Fayetteville. The Legislature adjourned on the 21st of November.

MILITARY BOUNTY LANDS

About the close of the War of 1812, Congress passed an act setting apart certain tracts of the public domain, to be divided among the soldiers of that war as a bounty or reward for their military services. These lands were known as "Military Bounty Lands." Warrants were issued to the soldiers, many of whom located in Arkansas, and the lands were to be exempt from taxes for three years. The Legislature of 1823 passed an act providing for the taxation of all bounty lands that had been entered prior to 1819.

The Gazette of March 16, 1830, announced that the acting governor (William S. Fulton) had received by the last mail an abstract of all patents issued by the President of the United States for military bounty lands between January 2, 1824, and December 31, 1829. During that period the patents issued numbered 922, some for a quarter and some for a half section of land. The abstract was turned over to the territorial auditor, who sent to the sheriff of each county a description of the lands to be listed for taxation. The tax on a quarter section (160 acres) was $2.40. William E. Woodruff was appointed military land agent, to collect the tax from nonresidents.

A NEW NEWSPAPER

The first issue of the Arkansas Advocate appeared on the last day of March, 1830, with the name of Charles P. Bertrand at the head of the editorial columns. In his editorial address Mr. Bertrand said:

"Disclaiming all connection with parties, it will be my constant aim, by pursuing an impartial course toward all men, to merit their friendship. Believing in the republican maxim, that men in public office are answerable to the public, from whom they directly, or indirectly derive their office, I will not withhold the meed of praise, where praise is due, nor will I fear to censure those, who by their conduct expose themselves to the lash of reproof."

That sounded well "on its face," but the paper was not three months old until it became involved in a controversy with some of the strongest men in the territory, on account of its attack upon Secretary Fulton for "official misrule." It seems that Mr. Bertrand—or an influence behind him—preferred the "lash of reproof" to the "meed of praise." Mr. Fulton had given certain orders of court to the Gazette to be printed, hence the "official misrule." In a short time the columns of the Advocate and the Gazette bristled with communications from correspondents signing themselves "Jaw-Bone," "Laos," "Aristides," "Justice," etc. Occasionally the editors of the two publications would unsheath their sabres and enter the arena, and the "merry war of words" went on. Governor Pope was absent when the first attack of the Advo-

cate on Fulton was made. A little later the paper asserted that he was in Washington, trying to secure the removal of the judges of the Superior Court, in order that friends of his might be appointed. It also charged that the governor supported Sevier in the campaign of 1829, and that his influence was able to bring about Mr. Sevier's reelection.

As a matter of fact, Governor Pope was in Washington, assisting Mr. Sevier to procure the passage of laws in the interest of Arkansas Territory. At the time of the election in August, 1829, he was in Kentucky, settling up his business preparatory to bringing his family to Little Rock, and took no part in the political campaign of that year. The governor returned to Arkansas late in June and in the Gazette of August 4, 1830, appeared a statement signed by him, in which he said:

"When I returned to this territory last June, I did not know I had an enemy in it. I was not conscious of having given cause of offence to any individual, and certainly had no unkind feelings towards any person in the territory—or any party. * * * While absent from the territory, it was reported here, as I understand, that I had, in Kentucky, or at Washington, expressed great hostility to the judges and a determination to have them removed. To this story I give a direct denial."

This positive denial on the part of the governor had the effect of causing a cessation of hostilities for a time, but the Advocate was always on the watch for an opportunity to assail the administration of Governor Pope. A history of the Advocate will be found in the chapter on The Press.

ELECTION OF 1831

On April 20, 1831, the Gazette published a circular of Ambrose H. Sevier, in which he "gave an account of his stewardship" and announced himself as a candidate for reelection as delegate to Congress. A week later the Gazette said editorially:

"We admonish the friends of Hon. A. H. Sevier, the friends of good order, fair dealing and honesty of principle, to be on the alert. Intrigue in all its forms is stalking abroad and the innocent may be ensnared before they are aware of the fell monster. A secret candidate is said to be in the field in opposition to Colonel Sevier—a candidate who is under the special training and keeping of the 'Grand Magician.'"

On the 7th of May the address of Capt. Benjamin Desha, receiver of public moneys for the Arkansas land district, appeared. It was dedicated "To the Freemen of Arkansas." The writer professed to be an ardent supporter of President Jackson; expressed himself in favor of the improvement of the rivers of Arkansas; pledged himself to work for the admission of Arkansas as a state, just as soon as she had the requisite population, and declared that he was "controlled by no entangling alliances."

The campaign was a spirited one and was not free from personalities, though it was far more dignified than the campaign of 1827. The election occurred on August 1, 1831. Sevier received 2,538 votes and Desha received 2,085.

Each of the six counties created by the Legislature of 1829 was given a

member of the Legislative Council, increasing the number to twenty-three. Those elected in August, 1831, were: Arkansas County, Terence Farrelly; Chicot, William B. Patton; Clark, Moses Collins; Conway, Reuben J. Blount; Crawford, Robert Sinclair; Crittenden, Edmund H. Bridges; Hempstead, Daniel T. Witter; Hot Spring, John Wells; Independence, James Boswell; Izard, Jacob Wolf; Jackson, Rowland Tidwell; Jefferson, William P. Hackett; Lafayette, Jesse Douglas; Lawrence, David Orr; Miller, Nathan G. Crittenden; Monroe, William Ingram; Phillips, James H. McKenzie; Pope, Isaac Hughes; Pulaski, Charles Caldwell; St. Francis, Green B. Lincecum; Sevier, Benjamin H. G. Hartfield; Union, Isaac Pennington; Washington, Robert McCamy.

The membership of the House was increased to twenty-five, to wit: Arkansas County, Harold Stillwell; Chicot, John Gibson; Clark, John Wilson; Conway and Hot Spring, Nimrod Menefee; Crawford, Richard C. S. Brown and Charles Wolf; Crittenden, James Livington; Hempstead, Thomas W. Scott and William Trimble; Independence and Jackson, Morgan Magness and Caleb S. Manly; Izard, Frederick Talbot; Jefferson, Nehemiah Holland; Lafayette and Union, James S. Conway; Lawrence, George S. Hudspeth and Robert Smith, Jr.; Miller and Sevier, John Clark; Monroe and St. Francis, Samuel Fillingim and John W. Calvert; Phillips, Fleetwood Hanks; Pope, Andrew Scott; Pulaski, Samuel M. Rutherford and Peter B. Crutchfield; Washington, James Pope and Abraham Whinnery.

SEVENTH GENERAL ASSEMBLY

The members elected in August met in regular session on October 3, 1831, and continued in session until the 7th of November. This was perhaps the "stormiest" legislative session in the territorial history of Arkansas. Charles Caldwell, of Pulaski County, was elected to preside over the Council, and William Trimble, of Hempstead, was chosen speaker of the House.

On March 2, 1831, President Jackson approved an act granting to the Territory of Arkansas ten sections of land for the erection of public buildings. By the provisions of the act the Legislature was authorized "to select or cause to be selected, from the unappropriated lands in said territory * * * and to adopt such measures for the sale of said tract of land, or any part thereof, at such times and manner, and convey the same by such deeds as they shall deem expedient."

It was the question of disposing of the ten sections of land which caused the dissension in the Assembly. In his message the governor called attention to the subject and requested the members to give it their "early and special consideration." On the first day of the session a joint committee, consisting of Blount, Farrelly, McCamy, Sinclair and Witter of the Council, and Manly, Menefee, Scott, Smith and Whinnery of the House, was appointed to report a plan for selecting and disposing of the land. On the 8th Andrew Scott made a report, accompanied by a written proposal from Robert Crittenden, "to exchange for the ten sections of land, his house in the Town of Little Rock, with the office and other buildings and appurtenances thereto annexed;" also, "a descriptive measure of said house and an estimate of the cost, made by David G. Eller, a carpenter and master builder, amounting to the sum of $10,600.

Another proposition reported by the committee was that of William McK. Ball, who offered to give $10,000 for the land, payable in two equal installments, in six and twelve months, provided he was given power to select the lands in parcels not exceeding a quarter section. On this the committee reported adversely, because it would have "placed individuals who had made improvements on the public lands at the mercy of the speculator."

A third proposition came from Chester Ashley, who offered to give for the lands "his house and the lots whereon the same is situate in the Town of Little Rock, which communication is also reported." The report concluded:

"Sensible of the delay and expense that must necessarily occur in the disposal of said lands, and the inconvenience which the present General Assembly labors under, in consequence of the want of a suitable house to hold their present session, your committee have come to the conclusion that the most advantageous disposition of those lands that can be made, at the present time, will be to exchange them with Mr. Crittenden for the house proposed, under the restriction in the location which he has agreed to, viz.: The same that is imposed by an act of Congress restricting the location of donation claims on improvements, without the consent of the owner," etc.

The report was adopted and on the 11th a bill was introduced providing for the exchange of the lands for Mr. Crittenden's residence. It gave him full power to select the lands, as soon as he should execute a deed to his house and lots in the Town of Little Rock to the governor of Arkansas and his successors in office, whether as a territory or a state. The bill passed the Council on the 14th, by a vote of 14 to 7, and went to the house. In the meantime Chester Ashley had submitted a new proposition, viz.: That he would erect a building 50 by 63 feet, two stories high, on the block opposite the house occupied by Governor Pope, said building to cost not less than $12,000, and deed the same to the territory in exchange for the ten sections.

When the Council bill came before the House on the 17th, Mr. Manly moved to substitute a bill accepting Ashley's proposal. But the Crittenden machine was too well oiled. The substitute was rejected by a vote of 15 to 9, and immediately afterward the Council bill was passed by the same vote.

GOVERNOR POPE'S VETO

On the 20th, Governor Pope returned the bill to the Council (where it originated), with his objections. He pointed out that the act of Congress donating the land made it the duty of the Legislature and that the Assembly could not delegate that power to another; that the lands could be sold, but not the authority to select. He summed up his objections as follows:

"1st. Because the bill proposed to sell the ten sections before they are selected.

"2d. Because the fund is applied to the purchase of a house as a temporary arrangement, instead of the erection of a suitable and permanent state-house.

"3d. I object to the locality of the building, because the public property will be less safe there than nearer the river and the business part of the town, and because it will be less convenient for the transaction of public business.

"4th. Because it appears to me to be a premature and enormous sacrifice of the public property without necessity, or the prospect of a fair equivalent.

"5th. Because it is impolitic and incompatible with the letter and spirit of the act of Congress, to sell the land upon a conjectural estimate of value, before it is designated.

"6th. Because it will be premature and rash to make a final disposition of this fund beyond the control of the people, before the subject is well understood and the value of the lands ascertained."

Unable to muster a sufficient number of votes to pass the bill over the governor's veto, the majority sought to sooth their wounded feelings by the adoption of the following.

MEMORIAL

"To the Senate and House of Representatives of the United States in Congress assembled:

"Notwithstanding the parental care and liberality of Congress, there remains amongst this people a power and an influence derogatory to liberty and free institutions, greatly retarding their prosperity, checking their independence, marring their wisest plans and thwarting their dearest interests.

"The executive of our country (territory), when guilty of wrongs, either from absence from his post or by his seldom presence, and consequent ignorance of the wants and wishes of the people, whether by acts he performed or refuses to perform, is totally irresponsible to those he governs.

"Your memorialists therefore pray that your honorable bodies will so extend and modify the several acts of Congress relating to the government of Arkansas Territory, as to allow the people thereof to elect a governor and secretary from among themselves."

THE CANVASSED HAMS

During the legislative session, those who favored trading the ten sections of land to Mr. Crittenden for his Little Rock residence became known as the "Canvass-ham Party." This grew out of a communication, signed "Timothy Catchem," which appeared in the Gazette of September 28, 1831, only five days before the General Assembly convened. In this communication the writer said:

"A few evenings since, as I was rambling through one of the back streets in this town, I overheard two gentlemen in close conversation, about how they should manage the members of the Legislature on their arrival. The voice of one I recognized to be that of my old friend, the Cardinal (Robert Crittenden was called the Cardinal Wolsey of Arkansas). The other was a stranger to me and had only been a few days in the town. The Cardinal appeared to do the principal part of the talking, while the other listened with the greatest attention. The Cardinal addressed his friend and said:

"You know that my whole object is to promote the interest of my friends, and their interest must be promoted no matter by what means. I have long since given way to the maxim that 'the end justifies the means'—so that we

accomplish our ends, no matter what means we use in doing it. It is all-important to the welfare of our party that the Advocate should be sustained and kept in existence for another year; and in order to do that, Bertrand must be elected public printer. In that event, he will be able to pay the debt contracted in Cincinnati for the purchase of his press and types (here the speaker lowered his voice and appeared to be very much in earnest), which purchase was made on the strength of a letter of recommendation from me, thereby making me legally and morally bound for the debt, which has been sent to that worst of all my enemies, Ashley, for collection.

"It must be your business to see the members as they come in and give them my views in relation to this matter—and impress on their minds the necessity of forwarding our views. * * * You must not suffer a member to set his foot in any man's house until I can see him, for I assure you that I have thirty first-rate Kentucky hams, and wine, brandy and whiskey in proportion, and I will feed and feast the members until I can manage them to suit my own purposes. I know the greater part of them well, and I know that a good dinner and a good glass of grog will do wonders. I have often tried it and always found it had the desired effect."

Thus it came about that the supporters of the bill to trade the state-house lands to Mr. Crittenden were accused of having partaken of his Kentucky hams and grog, which gave rise to the "Canvass-ham Party." Naturally, the members charged (indirectly perhaps) of accepting a bribe, consisting of a dinner and a drink, were somewhat indignant and considerable ill-feeling grew out of the incident. The echoes of the canvassed-ham charges did not die out for several years.

THE BIG HOUSE

The residence which Mr. Crittenden sought to exchange for the ten sections of land, was built in 1827 and was one of the early brick houses in Little Rock. At the time it was completed it was considered the finest residence in Arkansas Territory and was often referred to as the "Big House." It is presumed that Mr. Crittenden, who had been secretary of the territory from its organization, relied upon a prolonged tenure of office to justify his building a mansion which was really in advance of the times. When he was removed from the office of secretary in 1829, he discovered that he had a "white elephant" on his hands and formulated a plan to unload it upon the people of the territory. During the campaign of 1831, he canvassed the territory in the interest of candidates for the Legislature who would favor his proposition. But the house, which was located near the intersection of Seventh and Cumberland streets, was half a mile or more from the business district, which was one of Governor Pope's objections to the trade.

The ripples started by the controversy in the General Assembly spread to all parts of the United States. The National Journal, published in Washington City, of January 10, 1832, said that Governor Pope had made himself so unpopular by his vetoes that the Legislature passed a memorial asking his removal and the privilege of electing the governor by popular vote.

To this statement the Kentucky Gazette replied that the Crittenden house

was not worth more than $6,000, while the ten sections were worth at least $30,000, and that Crittenden subsequently offered the house and $2,000 in cash for the land. The same paper of January 21, 1832, said: "All acquainted with the deplorable state of parties in that territory, are not surprised at the treatment of Governor Pope. A band of desperadoes * * * are clubbed together to blackguard and browbeat every man who has sufficient self-respect to hold himself aloof from their interests. The former delegate from that territory (Mr. Conway) was hunted like a wild beast and at length killed.

"No sooner had Governor Pope landed in the territory, than Mr. Crittenden set about to establish a paper to blackguard him out of it. We know this to be the fact, for we saw a letter addressed by him to an editor in this state, entreating him to send him on a printer and pledging himself and the 'club' for so much money each. The declaration that Governor Pope is 'unpopular' with the people of Arkansas is without truth, and the delegate from that territory (Mr. Sevier), in presenting the memorial to Congress stated that it was false. The public have only to understand the true character of Robert Crittenden and his associates, to appreciate the firmness of Governor Pope in resisting their base speculation upon the people of Arkansas."

The wisdom of Governor Pope's veto was demonstrated by subsequent events. On July 4, 1832, President Jackson approved an act of Congress vesting in the governor of Arkansas Territory "the power which was vested in and given to the Legislature," to select and dispose of the ten sections of land granted for public buildings. The selection was made, and in 1833 the governor reported that $31,722 had been received from the sale of the donated lands. The same year Mr. Crittenden sold his residence to Judge Benjamin Johnson for $6,700.

For some time after the adjournment of the Legislature of 1831, the Advocate continued its attacks upon Governor Pope. Finally came an article signed by Robert Crittenden, to which the governor replied in the Gazette of March 14, 1832, saying in part:

"Had I owned the land in my individual right, I would not have given it for three such houses; and could I, as a faithful public officer, make a sacrifice of the people's property, for your benefit, which I would not have done of my own? * * * Finding that none will justify the measure, and that my course is almost universally approved, you have become desperate in your feelings and artfully attempt to shift the blame from yourself and friends and fix it on the shoulders of Judge Fulton and others, your political opponents. * * * This is indeed a poor apology. You do not pretend that the measure was right, but that the members were induced to do wrong because others told them to do so." (See the chapter entitled Capitals and Capitols).

ELECTION OF 1833

In the campaign of 1833, the opposing candidates for delegate to Congress were Ambrose H. Sevier and Robert Crittenden. Both were young men and both were well known throughout the territory. Sevier had been in Congress since 1827 and Crittenden had served as secretary of the territory from 1819 to 1829. Crittenden attacked the administration of Governor Pope and asked

the people to elect him as a vindication of himself and the recent Legislature, in trying to exchange the ten sections of state-house lands for his residence. In adopting this policy he made a mistake. The people indorsed the governor's course and Mr. Sevier was elected by a majority of 1,956, out of a total vote of 6,996.

The election was held on the 5th of August and at the same time members of the Eighth Territorial Legislature were elected from the several counties as follows:

Council—Arkansas, Terence Farrelly; Chicot, Thomas Anderson; Clark, Asa Thompson; Conway, Amos Kuykendall; Crawford, Robert Sinclair; Crittenden, Wright W. Elliott; Hempstead, James W. Judkins; Hot Spring, John T. L. Callaway; Independence, James Boswell; Izard, Jacob Wolf; Jackson, Rowland Tidwell; Jefferson, James H. Caldwell; Lafayette, George G. Duty; Lawrence, Thompson H. Ficklin; Miller, James Clark; Monroe, Lafayette Jones; Phillips, William F. Moore; Pope, John Williamson; Pulaski, Allen Martin; St. Francis, Carnes H. Alexander; Sevier, Joseph W. M. Hare; Union, Hiram Smith; Washington, Mark Bean.

House—Arkansas, Harold Stillwell; Chicot and Union, Thomas J. Thurmond; Clark, John Wilson; Conway, Jesse C. Roberts; Crawford, Bennett H. Martin and William Whitson; Crittenden, not represented; Hempstead, William Shaw and Hewitt Burt; Hot Spring and Sevier, John Clark; Independence, Morgan Magness and Peyton Tucker; Izard, Hugh Tinnin; Jackson, St. Francis and Monroe, John C. Saylor and John Hill; Jefferson, Ignace Bogy; Lafayette and Miller, Jacob Buzzard; Lawrence, John B. Hammond and George S. Hudspeth; Phillips, Millender Hanks; Pope, Wesley Garrett; Pulaski, Samuel M. Rutherford and Richard C. Byrd; Washington, John Alexander, John B. Dixon, James Burnside and John Reagan.

EIGHTH GENERAL ASSEMBLY

The eighth regular session of the General Assembly began on October 7, 1833, and continued until the 7th of November. John Williamson, of Pope County, was elected president of the Council, and John Wilson was elected speaker of the House. In his message Governor Pope said:

"Pursuant to the authority vested in the governor of this territory by an act of Congress passed on the 4th day of July, 1832, respecting the ten sections of land granted for a legislative house at Little Rock, I have located and sold about eight sections of the land at the rate of five dollars an acre, subject to a six per cent reduction for prompt payment, and one section and a half of the residue has been applied for and will probably be sold in a few days on the same terms, leaving only a half section to be disposed of."

He also announced that an eligible site for the state-house had been obtained and that work on the building was "progressing with all practicable despatch."

On October 24, 1833, Governor Pope received an invitation to a public dinner in "the long room of Mr. Bissell's Hotel" on the evening of the 26th. The committee stated that the dinner had been arranged by members of the Legislature and leading citizens, "to express to you, in a public manner, the high

regard which they entertain for the manner in which you have discharged the many and important duties devolving upon you as governor of Arkansas."

The dinner was attended by about sixty gentlemen and the festivities lasted until a late hour. John Wilson, speaker of the House, officiated as toastmaster, and among the responses was the toast to Governor Pope for "his rapid progress with the state-house; for his ability in preserving to the people the 1,000 donated by Congress for a court-house and jail; and his veto messages will be remembered by the people with gratitude, so long as our soil bears the footprints of a freeman and patriot."

Seven new counties—Carroll, Greene, Johnson, Mississippi, Pike, Scott and Van Buren—were created at this session; acts were passed providing a method of selecting the school lands donated by Congress in the act of May 20, 1826; dividing the militia into six brigades; authorizing the treasurer to loan the surplus of the fund arising from the sale of part of the seminary land; and amending the election laws of the territory. A large number of local acts were also passed.

FIRST COMPILATION OF LAWS

By the act of June 27, 1834, Congress appropriated the sum of $3,000 "for compiling and printing the laws of Arkansas Territory, under the direction and superintendence of the governor of said territory." Governor Pope appointed John Steele and James McCampbell to compile the laws, which were printed by Steele.

John Steele was a lawyer, who in 1833 founded the "Helena Herald." About the beginning of the year 1834 he was appointed postmaster at Helena, to fill the vacancy caused by the death of Eli J. Lewis. A few months later he removed to Little Rock, where on July 10, 1834, he issued the first number of the "Political Intelligencer." The proclamation of Governor Pope, certifying that the laws were printed and ready for distribution, was issued on January 12, 1835.

The old saying that "Politics makes strange bedfellows," was illustrated in the letting of the contract for printing the laws. William E. Woodruff, proprietor of the "Gazette," had been an enthusiastic supporter of Governor Pope from the time he came to Arkansas in 1829 to the time he awarded the printing contract to Mr. Steele. In an editorial of August 26, 1834, commenting upon the matter, he said among other things: "We think that the governor treated us rather shabbily, to say the least of it." In closing that editorial Mr. Woodruff referred to Mr. Steele as follows: "It is but justice to Mr. Steele for us to add that, in the above remarks, nothing is intended to his disparagement, either as a lawyer or a printer. He has got a good fat job and we congratulate him on his good luck. We hope that he will execute it in a manner that will entitle him to credit."

This was the beginning of a breach that widened and lasted as long as Pope remained governor. Many were surprised at the attitude of Mr. Woodruff, in thus turning on a man whom he had befriended and defended on numerous occasions. Steele was no doubt given a little preference in awarding the contract, on account of his knowledge of the law. Mr. Woodruff has been appro-

priately called "The grand old man of Arkansas," and the above incident has been mentioned only to show that, after all, he was human, like the rest of us.

FULTON'S ADMINISTRATION

On January 28, 1835, President Jackson sent to the Senate the name of William S. Fulton, to be governor of Arkansas Territory upon the expiration of Governor Pope's term on the 9th of March. The nomination was confirmed and on February 23, 1835, Lewis Randolph was appointed secretary to succeed Mr. Fulton. Mr. Randolph was a grandson of Thomas Jefferson.

William Savin Fulton, the fourth and last territorial governor of Arkansas, was born in Cecil County, Maryland, June 2, 1795. His father, David Fulton, came from Ireland as a young man and settled in Cecil County, where he married Miss Elizabeth Savin. In 1804 William was enrolled as a student in the school kept by Rev. Samuel Knox (afterward Baltimore College), where he graduated in September, 1813. He then began reading law with William Pinkney, of Baltimore, but soon gave up that occupation to enter the army as an aide on the staff of Colonel Armistead. At the conclusion of the war he was removed to Sumner County, Tennessee. Young Fulton then resumed his legal studies with Judge Grundy, of Nashville, and in the spring of 1817 he was an aide on the staff of Commodore Rogers. In the fall of 1815 the family admitted to the bar.

He began practice at Gallatin, Tennessee, but in January, 1818, closed his office to become private secretary to Gen. Andrew Jackson. He served with "Old Hickory" through the Seminole war and in 1820 located at Florence, Alabama. Here he combined law and journalism, becoming editor of the "Florence Gazette." In 1821 he was elected to the Alabama Legislature, and in 1823 married Miss Matilda Nowland.

The friendship that grew up between General Jackson and his secretary at the time of the Seminole war was a lasting one. Following out his policy of appointing his friends to office, after he became President, Jackson appointed Mr. Fulton secretary of Arkansas Territory on April 8, 1829. He succeeded John Pope as governor on March 9, 1835, but his term was cut short by the admission of Arkansas into the Union the following year. Mr. Fulton was elected one of the first United States senators from Arkansas, by the first State Legislature in 1836, and continued to hold that office until his death on August 15, 1844.

ELECTION OF 1835

At the biennial election on August 3, 1835, Ambrose H. Sevier was elected delegate to Congress for the fifth time, having no opposition. There were now twenty-nine organized counties in the territory. The Legislature of 1833 passed an act providing "That the number of representatives in the next General Assembly of this territory shall not exceed thirty-three, and it shall be the duty of the governor to apportion the said representatives among the respective counties, taking as a ratio the one-thirty-third of the whole number of persons returned on the census or enumeration of inhabitants for the year 1835."

The council consisted of one member from each county, to wit: Arkansas, James Smith; Carroll, Thomas H. Clark; Chicot, John Clark; Clark, Abner E. Thornton; Conway, Amos Kuykendall; Crawford, Richard C. S. Brown; Crittenden, Wright W. Elliott; Greene, George B. Croft; Hempstead, James W. Judkins; Hot Spring, Hiram A. Whittington; Independence, John Ringgold; Izard, Jacob Wolf; Jackson, Rowland Tidwell; Jefferson, Richard H. Young; Johnson, John W. Patrick; Lafayette, Jacob Buzzard; Lawrence, Peyton R. Pittman; Miller, James Lattermore; Mississippi, Thomas J. Mills; Monroe, Isaac Taylor; Phillips, William F. Moore; Pike, Elijah Kelly; Pope, John Williamson; Pulaski, Charles Caldwell; St. Francis, Mark W. Izard; Sevier, Joseph W. McKean; Union, Hugh Bradley; Van Buren, John L. Lafferty; Washington, Mark Bean.

As soon as the enumeration of 1835 was completed, Governor Fulton apportioned the thirty-three members of the house of representatives among the several counties and in August the following were elected: Arkansas and Union, Bushrod W. Lee and Charles H. Seay; Carroll, John E. Stallings; Chicot, Hedgeman Triplett; Clark and Hot Spring, John Wilson; Conway and Van Buren, Thomas Mathers; Crawford, James Logan and Andrew Morton; Crittenden and Mississippi, John Troy; Greene and Lawrence, Joseph Porter, William Jarrett and A. Henderson; Hempstead, William Shaw and James H. Walker; Independence, Morgan Magness and William Moore; Izard, Brown C. Roberts; Jackson, Monroe and St. Francis, John Hill and E. D. W. Scruggs; Jefferson, M. R. T. Outlaw; Johnson, John Ward; Lafayette, Thomas J. Peel; Miller, N. D. Ellis; Phillips, John J. Bowie; Pike and Sevier, James Holman; Pope, Laban C. Howell; Pulaski, William Cummins and Absalom Fowler; Washington, Francis Dunn, Onesimus Evans, Thomas H. Tennant, David Walker and Abraham Whinnery.

NINTH GENERAL ASSEMBLY

The above members met at Little Rock on October 5, 1835. Charles Caldwell was elected president of the council, and John Wilson was again chosen speaker of the House. On the 6th Governor Fulton's message was delivered to the two houses in joint session. In it he said:

"I congratulate you gentlemen, upon your having met for the last time as the legislative department of a dependent government. From an enumeration of the inhabitants of this territory, taken for the present year, our population (51,809) is found to be equal to the ratio fixed for Federal representation. This circumstance, together with the accession of wealth and intelligence which has accompanied this influx of population, has created, in the minds of the people, a strong desire to throw off their dependent condition. This spirit of independence ought not to be repressed, and it is the duty of the people's representatives to do every thing in their power calculated to aid them in the accomplishment of their wishes."

The fight for state government, and the action of the Legislature of 1835 in passing a bill providing for a constitutional convention, are described in detail in the succeeding chapter. With regard to the attitude of the Indian tribes on the western border of Arkansas, the governor said: "From our exposed

situation it is all-important that we should have the means for arming and equipping for the field a large military force at a moment's warning. With this view, I would suggest the propriety of petitioning Congress for the establishment of two arsenals, under the protection of a battalion of United States tropps; one at the seat of government and the other upon our western boundary. * * * The organization of our militia should be particularly attended to and such encouragement given to military drill, and the qualifications of the militia for service, as will make them a sure and safe defence in case of necessity."

Among the appropriations made by this Legislature was one of $60 to William S. Fulton, for money advanced in payment of house rent to provide a meeting place for the General Assembly, and $6 for firewood. The counties of Randolph, Saline, Searcy and White were created at this session. The most important measure, however, was the act providing for a constitutional convention and the apportionment of the delegates thereto among the several counties.

Technically, Governor Fulton's administration ended on June 15, 1836, when President Jackson issued his proclamation declaring Arkansas a state. But he continued to exercise the executive power until the inauguration of Gov. James S. Conway on September 13, 1836. Then the State of Arkansas took the place of the Territory of Arkansas.

CHAPTER X

PIONEER LIFE AND CUSTOMS

CONDITIONS IN ARKANSAS IN THE EARLY YEARS OF THE NINETEENTH CENTURY—THE EMIGRANTS—THE HOUSE-RAISING—THE HOUSE-WARMING—DIFFERENT TYPES OF CABINS—THE HOUSE FURNISHINGS—THEN AND NOW—THE LOG-ROLLING—RECREATIONS, AMUSEMENTS, ETC.—HOSPITALITY—SENATOR FULTON'S TRIBUTE TO THE PIONEER—MARKING ANIMALS.

Looking backward to the early years of the nineteenth century, it occurs to the writer that the young people of the present generation might be interested in knowing how the early settlers lived. Imagine a vast, unbroken tract of country, stretching away westward from the great Mississippi River. Next to the river were forbidding looking swamps, where the long, gray, Spanish moss hung from the branches of the cypress trees over pools and lagoons of stagnant water, in which frogs and mud turtles made their abode. Farther back in the interior were forests, where there was "not a stick of timber amiss." Between these woodlands were patches of prairie, never touched by the plow nor trodden by the foot of civilized man. Here and there, especially along the streams, were dense canebrakes, which afforded shelter to predatory beasts and venomous reptiles. It was into this wild region that the Arkansas pioneers came,

"Not with the roll of stirring drums
And the trumpet that sings of fame,"

but with axes, rifles, stout hearts and a determination to conquer and subdue the wilderness.

THE EMIGRANTS

A few small settlements had been made in what is now Arkansas prior to the opening of the nineteenth century. But it was not until after the Province of Louisiana was purchased by the United States in 1803 that there was any considerable emigration from the country east of the Mississippi River. Most of the Arkansas pioneers came from the states of Alabama, Georgia, Kentucky, Mississippi, North and South Carolina, Tennessee and Virginia. Tennessee and Kentucky furnished the majority. When they made up their minds to seek their fortunes in the "New Purchase," they sold their lands, in fact everything but their slaves (those who owned slaves), household effects, cooking and farming utensils—implements indispensable in a new country. Often several families would emigrate together. There were no roads and a pilot, equipped with a

compass, rode on horseback in advance. He also carried an ax, with which he would "blaze" or mark the trees to show the route to be followed.

Swollen streams frequently compelled them to camp for days at a time to wait for the waters to subside so they could cross over. Other delays were caused by having to wait until a road could be opened through some piece of timber. But courage and perseverance overcame all obstacles and in due time they reached their destination. The party generally selected a site near a stream or spring, and all set to work to build up their new settlement.

One of the first duties, imposed by circumstances upon the settler in a new country, is to provide shelter for himself and family. Where the pioneer owned slaves, he depended upon their labor to erect his first dwelling in the wilderness. Many of the early settlers were not slaveholders and assisted each other. In cases where several families came together, one cabin would be built, in which the women and children would live (the men sleeping in the wagons) until each man could stake out his claim and erect a cabin of his own. And what an event was a "house-raising" in a frontier community!

THE HOUSE-RAISING

After the settler had cut his logs and dragged them—probably with an ox-team—to the site of his proposed cabin, he sent invitations to his neighbors, some of whom lived at a considerable distance, to a "raising." These invitations were rarely declined. When all were assembled, four men were chosen to "carry up the corners." These men, each provided with a sharp ax, took their stations at the four corners of the cabin. As the logs were lifted up to them, they cut a notch in the underside and shaped a "saddle" upon the upper side, to receive the notch in the next log. The man having the "butt end" of the log was required to cut his notch a little deeper than the man having the top end, in order that the walls might be kept about on a level. This object was aided by alternating the butt and top ends of the logs in each side and end of the structure. No openings were left for doors or windows, these being cut out afterward. Sometimes these openings were made by the owner of the cabin, but in many instances they were cut out by those who assisted in raising the house. At one end an opening would be made for the fireplace, just outside of which was built a chimney of stone, or, if stone was not convenient, of sticks and clay. In front of the fireplace was a hearth of flat stones, a single stone occasionally being found large enough and smooth enough to answer the purpose.

The roof was invariably of clapboards or "shakes," split or rived from straight-grained timber with an implement called a frow. The floor—where there was any except "mother earth"—was of puncheons; that is slabs of timber split as near the same thickness as possible, the upper surface being smoothed off with an adz after the floor was laid. Nails were a luxury and not infrequently a house would be built without a single article of iron being used in its construction. A door of thin puncheons would be fastened to cross battens with wooden pins and provided with wooden hinges and a wooden latch. To lift the latch from the outside, a thong of deerskin was passed through a small hole in the door. At night the thong was pulled inside and the door was

DAVID CROCKETT

From painting in the Alamo. The rifle shown in the picture is now in possession of Arkansas History Commission

locked. This gave rise to the expression, "The latchstring is always out," which was an invitation to come any time. The clapboards forming the roof were held in place by poles, which were fastened to the end logs of the cabin by wooden pins. Lastly, the cracks between the logs were "chinked" with pieces of timber and plastered with clay, or a mortar of lime and sand.

THE HOUSE-WARMING

After the "house-raising" came the "house-warming." A new cabin was hardly considered fit to live in until it had been properly dedicated. In nearly every frontier settlement there was at least one man who could play the violin. The fiddler was called into requisition and the new dwelling would become the scene of "a sound of revelry by night." Many times the orchestra consisted of a first and second fiddle, and possibly a banjo, the musicians being negroes. On such occasions, no tango, fox-trot or hesitation waltz was seen; but the Virginia reel, the stately minuet, or the old-fashioned cotillion, in which some one "called the figures" in a stentorian voice, were very much in evidence. It is quite likely that the guests at a presidential inaugural ball never derived more genuine enjoyment from the event than did these people of the frontier at a house-warming. If the owner of the cabin had conscientious scruples against dancing, the house was dedicated by a frolic of a different character, but it had to be "warmed" in some way.

DIFFERENT TYPES OF CABINS

No sawmills were convenient for the manufacture of lumber; there were no brickyards; hence, the frame or brick house was out of the question, and the log cabin was the universal type of dwelling. But the cabins were not all of the same pattern. Those of the better class were of the kind known as "saddle-bags;" that is, one cabin on each side of a wide hall or open "entry." From this type of dwelling originated the expression—"The three P" order of architecture—two pens and a passage. In a house of this character one "pen" was used for the general living room and the other as the kitchen and dining room. The sleeping apartments were frequently in the loft and were reached by means of a ladder. This style of residence was quite popular during the early days.

Those who were unable to afford a "three P" cabin had to be content with one consisting of a single large room. G. W. Featherstonhaugh, an Englishman who made a tour of Arkansas in 1835, in company with his son, spent one night with a Mr. Russell, in what is now Randolph County, thus describes the inconvenience of entertaining company in a house of this kind: "Soon after we had retired, old Mrs. Russell, a discreet matron of at least seventy, accompanied by a sickly, unhappy-looking girl, of perhaps eighteen, came into the room (it seems the ladies went out while the visitors retired), where there were three beds, upon one of which I was laid down, and my son upon another. Without uttering a word, these amiable ladies very deliberately went through the ceremony of unrobing and getting into the other bed. This was to be sure an

unexpected treat. I thought my son would never have done laughing, and certainly I never saw anything done with more nonchalance."

The first cabins were of round logs, but a little later some of the more aristocratic of the pioneers built themselves hewed log houses, a few of which were two full stories in height and provided with regular stairways instead of the ladder.

The first frame houses were built of lumber made with a whipsaw. A whipsaw resembled the modern crosscut saw, except that the handles were set at right angles to the blade and the teeth were sharpened to cut only in one direction. An excavation called a "saw-pit" was made in a hillside and over this a scaffold was built. The log to be made into lumber was hewed on opposite sides and placed upon the scaffold. On the upper surface lines were struck at an equal distance apart, to regulate the thickness of the boards. One of the operators then took his station on the top of the log, to guide the saw by the lines and lift it upward. The other went into the pit below, to pull the saw downward, giving it the cutting stroke. Two expert sawyers could turn out from 200 to 250 feet of inch boards in a day.

THE HOUSE FURNISHINGS

Some families brought with them from the old home a few chairs, a bureau, and perhaps a few other cherished articles of furniture, but this was the exception rather than the rule. The furniture was usually of the "home-made" variety and of the simplest character. Holes were bored with a large auger in the logs of the cabin and fitted with stout pins. Boards were then laid on the pins to form a "china closet." If the housewife was fortunate enough to possess a few yards of fancy calico for a curtain, the china closet presented no mean appearance. The table often consisted of a few boards battened together and mounted on trestles. When not in use, the top of the table was leaned against the wall and the trestles were placed one on top of the other to obtain more room. Sometimes the whole was set outside for the same reason.

The pioneer's bedstead was a curiosity, or would be so regarded by the people of the present time. It was a stationary affair, built in one corner of the cabin in the following manner: A straight sapling, about four inches in diameter, extended from floor to loft to form the outer corner. From this sapling, boards or small poles extended to the end and side walls, where they rested in the cracks between the logs, or in holes bored for the purpose of receiving them. Boards were then laid across, or a net work of rope was made to receive the bedding. One accustomed to steel springs and felt mattresses, might think such a bed would be uncomfortable. But when a "tick" well filled with clean straw or corn husks, or a cotton mattress, was placed on the boards or ropes, and this was surmounted by the plump feather bed, which almost every family possessed, the pioneer had a resting place that was not to be despised.

Cooking stoves were unknown and the meals were prepared at the great fireplace. The principal cooking utensils were an iron teakettle, a long-handled skillet with an iron lid, and a large iron pot, in which the "boiled dinner" was prepared. It has been said that the Arkansas women were poor cooks. Featherstonhaugh, in his account of an "Excursion through the Slave States," fre-

OLD SPINNING WHEEL USED BY PIONEERS FOR SPINNING FLAX.

RIFLE OF DAVID CROCKETT, GIVEN HIM BY THE YOUNG MEN OF PHILADELPHIA IN 1834

quently alludes to the miserable fare with which he was provided at the homes of the pioneers. His accounts were no doubt true, but when one stops to consider that these women had little to cook and a poor way of preparing it, they deserve sympathy rather than criticism. Many of their daughters and granddaughters grew up to be good cooks and good housekeepers. Were Mr. Featherstonhaugh alive, and should he make a journey through the state today, he could probably tell a different story.

Somewhere about the cabin were two hooks, formed from the forks of small trees, for a "gun rack." Here rested the long, heavy rifle of the settler, and suspended from its muzzle or from one of the hooks was the bullet pouch and powder horn. Game was plentiful in all parts of the country, and the rifle was depended upon to furnish the supply of meat for the family.

THEN AND NOW

Just now it is an easy matter to telephone to the grocer or butcher for the daily supply of provisions, or to the miller or dealer in flour for a barrel or sack to be delivered. In early days the problem of obtaining breadstuffs for the family was not so easily solved. Even after grist mills were established they were few and far apart. Several days were sometimes required to go and return. To obviate this difficulty various methods were introduced for making corn meal, the principal breadstuff of the early settlers.

One of the simplest and most common of these methods was that of pounding the corn in mortar with a pestle. To make a mortar, a hard wood stump near the cabin was selected and on top of this stump was built a fire. As the fire burned down into the stump, the charred wood was removed, then the fire renewed until a sufficient depth was obtained. If a slender, tough sapling grew near the stump the construction of the grinding apparatus was rendered easier. The sapling was bent over and to its top was attached by a strong rope a pestle of hard wood, from six to eight feet long and probably five or six inches in diameter. Through this pestle, near the lower end, was bored a hole, in which a stick was inserted for a handle. The corn was placed in the top of the stump, the operator then took hold of each end of the cross stick and brought the pestle down into the mortar. The spring of the sapling lifted it up ready for the next blow. If no sapling was convenient, a fork was set up, through which was laid a pole and a weight attached to the lower end to balance the pestle. Only a small qauntity of corn could be pounded at a time and the meal made by this process was not even in texture, but it contained the nutritious properties of the corn, which was the main object.

In the autumn, after the corn was ripened, but before it was fully hardened, the grater was a popular method of converting it into meal. The grater was made by punching holes through a sheet of tin, then nailing the sheet, rough side out, to a board somewhat narrower, so that the tin would be slightly convex. Then an ear of corn was rubbed back and forth over the grater, the rough points cutting it into meal, which ran down the board into a vessel. Mush made of grated meal and a generous bowl of milk often constituted the only supper of the pioneer. Corn pone and "johnny cake" were also made of grated meal. These terms have often been used synonymously, though the manner of making

the two kinds of bread was different. "Pone" was baked in the iron skillet, which was set over a bed of hot coals and more coals piled on the lid, so the top would bake evenly with the bottom. "Johnny cake" was made by placing a stiff dough upon a smooth board and then propping the board nearly upright in front of the fire. When one side was baked the cake was turned over, to give the other side its inning. If a hog had been recently killed, the cake was shortened by a liberal supply of the "cracklings," obtained by rendering the lard.

Another method was the old steel mill, for grinding corn by hand. It was made after the fashion of a coffee mill, except that it was larger and had a handle upon each side. It was bolted securely to a post and was sometimes operated by two persons, one turning each handle. The hopper of the mill would hold about a gallon. After the corn had been run through the mill the finer meal would be sifted out, the "set screw" on the mill would be tightened and the coarse meal would be run through a second time. This was a slow process, but it was betten than going thirty or forty miles to an old water mill and then finding the water too low to run the mill.

Matches were rarely seen in a new settlement, and a little fire was always kept somewhere about the cabin "for seed." During the fall, winter and early spring months, the fire was kept in the fireplace, but when the weather grew so warm that this would render the house uncomfortable, a fire was kept burning out of doors. If, by some mishap, the fire was extinguished, a new supply must be obtained. If the nearest neighbor was not too far away, some one would go and "borrow" a few coals. If the distance was too great to the next neighbor's, other methods were employed. Nearly every family kept flint, steel and tinder at hand. The flint and steel were struck together until the sparks ignited the tinder, which was then carefully nursed into a blaze. Another way of starting a fire was to discharge a pistol, loaded with only powder and a paper wadding, into a bunch of cotton lint. The wadding would be set on fire by the explosion and by exercising a little care the lint could soon be fanned into a blaze.

How easy it is now to turn a switch or press a button and flood a room with electric light. It was not so in Arkansas a century ago. The housewife devised a lamp by using a shallow dish partially filled with lard or bear's grease. Into the grease a loosely-twisted cotton rag was immersed. One end of this wick was allowed to project slightly over one edge of the dish and this projecting end was lighted. A lamp of this kind emitted light, smoke and odor, which might "get on the nerves" of fastidious persons now, but it answered the purpose then.

Next came the tallow candle, made in moulds of tin. In some neighborhoods there was but one family who could boast of owning a set of candle moulds. But this one set passed freely from house to house until all had a supply of candles laid away in a cool dry place, sufficient to last for months. Often in winter no light was needed in the cabin except that of the roaring fire in the great fireplace.

Except among the wealthy planters, who owned slaves and were able to make occasional visits to New Orleans, no one wore "store clothes" then. The housewife would card her wool or cotton into rolls by hand, with a pair of

HOME OF PIONEER PLANTER, COL. JOHN MILLER, WHERE GOVERNOR WILLIAM R. MILLER, FIRST NATIVE GOVERNOR, WAS BORN

broad-backed brushes, the wire teeth of which were all bent slightly in the same direction. Then she would spin the rolls into yarn on an old-fashioned spinning wheel, weave it into cloth upon an old hand loom, and make the cloth into garments for the family. The girl sixteen or seventeen years of age who could not spin her "six cuts" a day, or make her own dresses, was a rarity in a new settlement. How many of the girl graduates of the Arkansas high schools in 1921 know what the term "six cuts" means? Or how many of them could make their own gowns?

Wives and daughters of slaveholders, who had colored servants to attend to their wants, were an exception. They were not required to make their own clothes. Sons and daughters of those who owned large plantations were sent away to college. Some of them developed into strong men and women, but more of them were content to "run in the groove" and never rose above the standard of mediocrity. The real development of Arkansas was therefore due to that class of whom Abraham Lincoln said: "The Lord must love the common people, or he would not have made so many of them."

THE LOG-ROLLING

At the present time, with plenty of money in circulation, when any one needs assistance it is an easy matter to hire help. When the first white men came to Arkansas money was scarce, comparatively few owned slaves, and in many settlements the pioneers depended largely upon each other by "swapping work." Probably no better illustration of this interdependence can be seen than in the "log-rolling." After the settler had built his cabin, the next step was to clear a piece of ground for a crop. The trees were felled, cut or burned into lengths so that they could be handled, and then the neighbors were invited to the "rolling."

Almost every pioneer had a "hand-spike"—a stick of hard, tough wood, five or six feet in length, from which the bark had been removed and the ends slightly tapered with the draw-knife. When all had assembled at the appointed time and place the men were divided into teams. Two of the physically strongest men in each team were selected to "make daylight;" that is, to thrust a hand-spike under one end of the log and lift it high enough for the others to get their spikes under it. Then, two by two, the others followed the "daylight-makers" until often ten or twelve men could be seen carrying the heaviest logs and piling them in heaps. Smaller logs, carried by four or six men, were added to the heap, so that the whole could be burned. In some localities enough valuable timber was thus destroyed to pay for the land on which it grew, even at present prices, if it could be replaced. But then a crop was of more importance to the settler than the timber.

While the men were rolling the logs, the women folks would get together and prepare dinner, each bringing from her own store some delicacy that she thought the others might not be able to supply. Venison, bear meat and corn pone were the chief articles of food on the menu. Log-rolling was a good appetizer, and when the men arose from the table it looked "like a cyclone had struck it," but in swapping work each man had his turn and in the end no one was placed at a disadvantage in the amount of provisions consumed.

The term "log-rolling" found its way into legislative halls, where its meaning is very much the same as in pioneer days. Bills are often passed by members "swapping votes," just as the early settlers cleared their ground by "swapping work."

RECREATIONS, AMUSEMENTS, ETC.

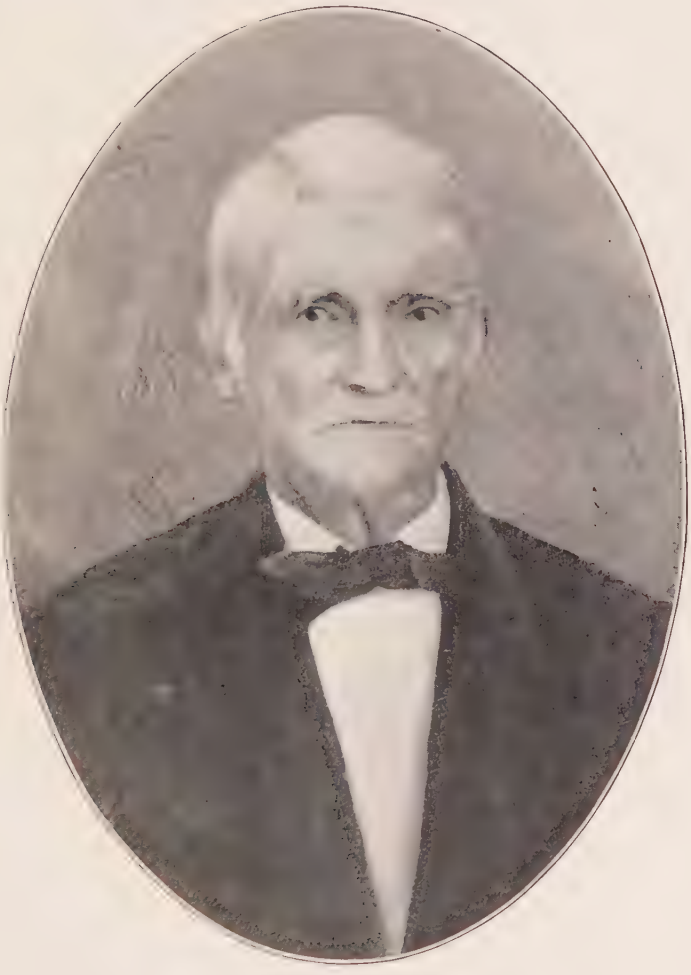
While it is true that the pioneers saw much of the "seamy side of life," they were not without their pastimes. Old settlers can recall the shooting matches, when men met to try their skill with a rifle. The prize was usually a quarter of beef. There were five quarters to a beef, the hide and tallow being the fifth prize. The distance was generally forty yards "off hand," or sixty yards with a rest. Sometimes the match was for money, each marksman putting in "two bits" and the man making the best score took the purse. Matches of this kind did not arouse as much interest as those where the shooting was done for prizes, and were not so well attended.

On grinding days at the old gristmill, a number of men would meet and pass the time in sports while waiting for their turn. Wrestling matches, foot races, pitching horse shoes and other athletic contests made up the program on these occasions. From such contests the pioneers derived as much pleasure as does the man of the present generation from golf or tennis, with the advantages in favor of the pioneer. No expensive "links" or "courts" had to be constructed expressly for their entertainment. No costly golf clubs or rackets were necessary for their sports. Any level stretch of ground would do for a foot race; any "soft spot" was good enough for a wrestling match.

It was not an uncommon occurrence for a company of white people to ride twenty or thirty miles to witness an Indian ball game. In these games one tribe or band usually played against another. They were played on a prairie and were well advertised in advance. The players, an equal number on each side, were lined up in opposite lines, and each player was equipped with a stick for knocking the ball toward the goal of the opposite side. They were allowed to push each other out of the way with their hands, but to strike one with the stick lost one point for the side of the player who did the striking. Modern base ball or basket ball is a very tame affair when compared to one of these Indian ball games. Each tribe would bet everything they had upon their players, and at the close of the game the winners would celebrate, while the losers only smiled and hoped for better luck next time. Even the white men would lay a few wagers on an Indian ball game.

The fourth of July was nearly always a gala day in a frontier settlement. After the Declaration of Independence was read and the orators had delivered their patriotic addresses, came the "basket dinner," or barbecue. Then the orchestra tuned up and the dancing began. Everybody took part in the enjoyment, though all did not dance. There was not much formality about these celebrations; no committees to make rules and regulations; no grand marshal to lead a parade; no petty jealousies. But the patriotism displayed was of the true type and the pleasures of the day rarely left a sting.

During the late fall and winter months quilting parties were a common form of entertainment. The quilting was always followed by a dance. Young



DAVID DODD, PIONEER, GRANDFATHER OF DAVID O. DODD

women thought nothing of riding on horseback twenty miles to attend one of these parties, dance until the "wee sma' hours" and then, accompanied by her sweetheart, ride home in time to do a day's work. At these dances there were no sheets of music mounted on stands in front of the musicians. They played "by ear" and the strains of such airs as "Money Musk," "Run Nigger Run," "Fisher's Hornpipe" and "Turkey in the Straw" made the house resound, while "all went merry as a marriage bell." Pope, in his "Early Days in Arkansas," mentions one instance where the white-haired old negro leader of the plantation orchestra took "a wee drop too much from his master's private stock" and threw so much energy into his performance that the dancers were forced to beg him to "go a little slower, please."

Very seldom did a young couple get married "on the sly." Weddings were celebrated with all the pomp and circumstance of which a backwoods civilization was capable. The wedding supper, given at the home of the bride's parents, was a veritable feast. At one end of the table might be a young pig, roasted whole and decorated with an apple or a small ear of corn in its mouth. At the other end was roast turkey, surrounded by hard-boiled eggs, from which the shells had been removed. Both pig and turkey were filled with a savory dressing and between them the table was laden with great plates of cold ham, dishes of vegetables, jellies, preserves, cakes, etc. And the cakes were not bought at a bakery, but were made at home by women who knew how. On a side table stood a huge bowl of "float," known in later days as "egg-nog," though the change in name added nothing to the quality.

The day following the wedding came the infare at the house of the groom. Here the feast was repeated. In fact there was often a friendly rivalry between the families of the bride and groom to see which could shower the most attention upon their children. Weddings and infares were attended by people living within a radius of twenty miles or more. Some came in the old-fashioned coach, some in wagons, some on horseback and some on foot. They came not for what they could get to eat, but to express their sincere good wishes for the happiness and prosperity for the young people who were embarking on the sea of matrimony.

HOSPITALITY

Not all that happened in the "good old days" was perfect; not all that takes place now is imperfect. No doubt the people of the present generation do many things better than did their grandfathers, but it should be remembered that they have better opportunities. The pioneers worked for better conditions and laid the foundation for present day advantages. There is one feature of pioneer life that should not be overlooked, and that is the almost universal hospitality that prevailed. The traveler was rarely denied the comfort of a night's lodging, no matter how humble the settler's home might be. And in many instances no charge was made for the accommodation.

In those days there were no hospitals, no trained nurses, no professional undertakers. If any of a settler's family fell ill, the neighbors were soon at the bedside. If death ensued, there was always some one who could fashion a rude coffin, and the deceased was followed to the cemetery by the entire com-

munity. The expressions of sympathy for the bereaved family were heartfelt and sincere.

If a family wanted to go on a visit for a week or more, they did not go in an automobile. The horses were harnessed or the oxen yoked and hitched up to the farm wagon. Some one in the neighborhood was always ready to volunteer to look after the house and "do the chores" during their absence. Or, if there was nothing to need attention while they were away, the door was left unlocked, no fear being entertained of things being molested. If some one came and found no one at home, he might prepare a meal, feed his horse, or even spend a night, but when he departed he left everything in good order and no offense was ever taken at such visits.

When a homestead bill was pending in Congress in 1841, some of the senators from the Eastern States characterized the settlers on the public lands as "squatters," because they did not have a complete title to their holdings, and a few went so far as to denounce them as criminals. In his reply, Senator William S. Fulton paid this tribute to the Arkansas pioneers:

"They are not known to senators or they would not thus be maligned. Arkansas was organized as a territory when nearly all her citizens were settlers on the public lands. Go to your land offices and you will find that men who have been members of Congress, and have filled the highest stations in the old states, have settled upon the public lands and have obtained title as preëmptioners. For generosity, capacity to endure hardship and noble daring, no people are equal to the preëmptioners of the South and West. They go there with their wives and children, poor and penniless, and in a year are found in a snug cabin surrounded by a cultivated field, with an abundance of everything necessary to support life. From this humble beginning, by the exercise of industry and perseverance, they soon become independent, and in time become the best and worthiest of the inhabitants. To secure homes for men like these is the end of my political ambition, and as an act of justice, I ask the Senate to protect the settler, the maker and builder of commonwealths, from the greed and rapacity of the most selfish of men—the speculator in public lands."

MARKING ANIMALS

One feature of pioneer life should not be overlooked, and that is the system of marking domestic animals for identification. In early days there were few fences and all kinds of live stock were allowed to run at large. To protect himself against loss, the frontier farmer cropped the ears of his cattle, hogs and sheep in a peculiar manner, and these marks were recorded with the same care as titles to real estate. Among the marks were the plain crop, the under and upper bits, the under and upper slopes, the round hole, the swallow fork and a few others, by a combination of which the settler could mark his animals so they could be easily identified. The "upper bit" was a small notch cut in the upper side of the ear; the "under bit" was just the reverse, being cut in the lower side; the "crop" was made by cutting off a small portion of the ear square across the end; the "swallow fork" was a notch in the ear resembling a swallow's tail, etc.

If some one found a stray animal marked with a swallow fork in the right

ear and an under bit in the left, he had only to consult the records to learn who was the owner. In an old Pulaski County record the clerk, evidently being of an artistic turn of mind, drew pictures of the animal's head, showing the markings of the ears. The pictures could hardly be classed as works of art, yet they answered the purpose. These ear marks were seldom violated and protected the settler against loss as surely as the manufacturer is protected against infringement by his registered trade-mark. This custom still prevails in the outlying portions of the state, where stock is allowed to run on the range.

CHAPTER XI

ADMISSION INTO THE UNION

A CHERISHED DREAM—AMBROSE H. SEVIER—FIRST MOVE FOR ADMISSION—THE SLAVERY QUESTION—AT THE NEXT SESSION—SENTIMENT IN ARKANSAS—PUBLIC MEETINGS FOR STATE GOVERNMENT—ARKANSAS HAD A PRECEDENT—IN THE LEGISLATURE—ATTORNEY-GENERAL'S OPINION—ELECTION OF DELEGATES—THE CONVENTION—LAST ACT OF THE DRAMA.

Arkansas continued as a territory for more than a decade before any effectual work was done toward the formation of a state government. During that period the territorial officials were appointed by the President and were nonresidents. Few of them had any material interest in Arkansas, or anything in common with her people. Most of them were capable men, who were honest and discharged their duties with fidelity. But among the resident population were a few men who cherished the dream of a time when they would see a new star added to the flag, representing the sovereign State of Arkansas. Foremost among these was Ambrose H. Sevier, who was not satisfied with merely cherishing a hope, but who early and late labored for its fruition.

Ambrose Hundley Sevier was born in Greene County, Tennessee, November 4, 1801. About the middle of the Eighteenth Century three brothers name Xavier came from France and settled in the Shenandoah Valley in Virginia. In the course of time the name was Anglicized into "Sevier." Accounts regarding the ancestry of Ambrose H. Sevier are somewhat vague and contradictory. Hempstead and Shinn both state that his mother was a Miss Hundley, of Rockingham County, Virginia. Hallum, in his "History of Arkansas," says his mother was a sister of Thomas Conway. Confronted with these conflicting statements, and knowing that the Wisconsin Historical Society had made a special effort to collect data concerning the early Tennessee families, we wrote to that Society and received the following reply:

"Madison, Wis., April 8, 1921.

"Mr. Dallas T. Herndon,
Arkansas History Commission,
Little Rock, Arkansas.

"Dear Sir:—

We have a great deal of information concerning the Sevier family in our Draper Mss. We have endeavored to find the material you seek with the following results. In our collections there are two letters of Ambrose H. Sevier written from Washington in 1843 about his early life and recollections. He also sent Dr. Draper his grandmother's pension statement, from which it appears that her maiden name was Naomi (Amy) Douglas. She died July 17, 1844. Col. Valentine Sevier (Ambrose's grandfather) died February 23, 1800. From

interviews with sons of Gen. John Sevier we have found these facts on his career. Valentine was the second son of Valentine Sr. (one of the three brothers who came from France) and Joanna Goode, born near Newmarket, Rockingham County, Virginia, about 1747. He had removed to the Holston River in Southwest Virginia by 1772, whither his brother John followed him the next year.

"Valentine was out on the Point Pleasant campaign of 1774, also in the Cherokee war of 1776. In 1780 he went on the summer campaign in North and South Carolina, but was not at King's Mountain. He was, however, on the Cherokee campaign in the latter months of 1780, and again on the expedition of 1782. He was sheriff of Washington County, Tennessee, until 1781. He removed to Central Tennessee about 1788 and settled a station on the Red River, near Clarksville. He then had the following children: Elizabeth, born February 13, 1768, married to Snyder, a gunsmith; John, born September, 1769; Ann, born March 22, 1771, married first Thomas Grantham, who was killed by Indians in October, 1790; she then married James (?) King; Valentine, born May 22, 1773; Robert and William (twins) born February 23, 1775; Rebecca, born November 9, 1782; and Joseph, born April 9, 1788. There were also James, whose date of birth is not given, and two born later, Abraham and Alexander.

In July, 1791, Robert, William and Valentine were all killed by Indians while carrying provisions to emigrants on the Tennessee River. In November, 1794, a party of Indians attacked Col. Valentine Sevier's station, killed his son-in-law, Snyder, his daughter, Mrs. Snyder, and their child; his small son, Joseph Sevier, his daughter, Ann King, and her child, James King, and knocked down and scalped his daughter Rebecca. She recovered and married John Rector, removed to East Tennessee, where in 1844 Dr. Draper met her and interviewed her. She showed the scar from her wound. At the time of the massacre John (Ambrose's father) was with his uncle John in East Tennessee.

"We have not found the name of Ambrose's mother, but we are inclined to think it was Handley (pronounced and later written Hundley). Capt. Samuel Handley was a prominent officer under Gen. John Sevier and was taken prisoner by the Indians. The Conway connection came through the youngest daughter of Gen. John Sevier, Eliza, who married James Conway. Col. Henry Conway was one of Sevier's officers. We have found little about the services of John Sevier, Jr., father of Ambrose. He died quite young, when the latter was a boy. He served under his uncle during the latter years of the Indian wars.

"Yours very truly,

"JOSEPH SCHAFER,

"Superintendent."

The Doctor Draper referred to in the letter was Dr. Lyman C. Draper, one of the founders of the Wisconsin Historical Society and for many years its secretary. It has been said of him that "He would go a thousand miles to ascertain whether a battle began five minutes before ten o'clock or five minutes after." Information obtained through this channel is therefore no doubt more reliable than could be obtained from other sources, as it is based upon personal interviews of Doctor Draper with members of the Sevier family.

Ambrose H. Sevier received a liberal education in his native county. When he was about nineteen years of age, after the death of his mother, he came

to Arkansas and located in Little Rock. In 1821 he was elected clerk of the territorial house of representatives. Two years later he was elected a member of the house from Pulaski County and in the same year he was admitted to the bar. In 1825 and again in 1827 he was elected to represent Pulaski County in the lower house of the Legislature, being chosen speaker for the latter term. Before the expiration of the term, Henry W. Conway, delegate in Congress, was killed in a duel with Robert Crittenden, secretary of the territory, Mr. Sevier then resigned the speakership to become a candidate for delegate at the special election in December, 1827. He was elected and continued as delegate until Arkansas was admitted into the Union.

While serving as delegate in Congress he succeeded in securing the passage of measures making liberal appropriations for the benefit of his territory. During the session of Congress which ended on March 4, 1835, these appropriations aggregated $231,000. Delegates from other territories, which did not fare so well in this respect, asserted that Sevier "had a pull with the administration." Being a native of Tennessee and a close personal friend of President Jackson may have had some influence, but, in a majority of cases, Mr. Sevier procured the passage of his appropriation bills by knowing just what he wanted, and by his ability to present his claims to Congress in a convincing manner.

When Arkansas was admitted in 1836, Mr. Sevier was elected one of the first United States senators. He held that office until late in the year 1847, when he resigned to accept an appointment as special envoy to Mexico, to secure the ratification by that government of the Treaty of Guadalupe Hidalgo, which was negotiated by Nicholas P. Trist. (For the history of this treaty see the chapter on the War with Mexico.)

On September 27, 1827, Mr. Sevier married Miss Juliette, daughter of Judge Benjamin Johnson. His son, Ambrose H. Sevier, married a granddaughter of Gov. William S. Fulton, and his daughter, Annie, became the wife of Gen. Thomas J. Churchill, governor of Arkansas from 1881 to 1883. On his way home from Mexico, Mr. Sevier contracted a severe cold at Vera Cruz, from the effects of which he never recovered. He died on his plantation near Pine Bluff on December 31, 1848.

FIRST MOVE FOR ADMISSION

The United States census of 1830 showed that Arkansas had a population of 30,388, of whom 25,671 were whites. In the political campaign of 1831 for delegate in Congress the opposing candidates were Ambrose H. Sevier and Capt. Ben Desha. The latter promised that, if elected, as soon as Arkansas had the population required by law, he would endeavor to secure the passage of a bill providing for the admission of Arkansas to statehood. Sevier contented himself by saying that until the territory had the requisite population, the discussion "of this excitable question is premature. * * * When we are out of debt, and when we have the population and the means to support a state government, I am as anxious as the most impatient to see this territory become a state."

Sevier was elected, but made no move during that term to have Arkansas admitted to the Union. In 1833 Sevier and Robert Crittenden were the can-

didates for delegate in Congress. It does not appear that either Crittenden or Sevier alluded to the subject during the campaign. Again Sevier was elected, defeating Crittenden by nearly two thousand votes. At the opening of the Twenty-third Congress on December 2, 1833, he took his seat in the House of Representatives and, before the session was many days old, introduced a bill providing for taking a census of the inhabitants of the Territory of Arkansas, for the purpose of ascertaining her eligibility for statehood. The bill was referred to the committee on territories, which reported favorably.

But there was another and more important issue than that of population involved. That issue was the slavery question. Almost from the very beginning of the American Republic, this question had been a bone of contention between the free states on the one side and the slave states on the other. Slavery was introduced in America in 1619, when a Dutch trader sold a few negroes to the planters of the Jamestown colony. The custom of owning negro slaves gradually spread to the other colonies, but by 1819 seven of the original thirteen states had made provisions for the emancipation of the slaves within their borders.

The first clause of Section 9, Article I, of the Federal Constitution provides that "The migration or importation of such persons as any of the states now existing shall think proper to admit shall not be prohibited by the Congress prior to the year 1808."

The adoption of the constitution, with this clause embodied therein, was considered a victory for the advocates of slavery, as under it Congress had no power to interfere with the foreign slave trade until 1808. But in that year President Jefferson approved an act prohibiting any further importation of or traffic in negro slaves from abroad. In 1819 slavery existed in six of the original states, the other seven having abolished it as already stated. In the meantime Kentucky, Tennessee, Louisiana, Mississippi and Alabama had been admitted with constitutions permitting slavery, while Vermont, Ohio, Indiana and Illinois had been admitted as free states, so that the country was evenly divided—eleven free and eleven slave states. Maine was admitted as a free state in 1820 and the friends of slavery sought to have Missouri admitted as a slave state, in order to maintain the equilibrium in the United States Senate. After a long and acrimonious debate, that state was admitted under the act known as the "Missouri Compromise," which provided for the admission of Missouri without any restrictions as to slavery, but expressly stipulated that in all the remaining portions of the Louisiana Purchase north of the line of 36° 30′ north latitude slavery should be forever prohibited.

After Missouri became a state in 1821, no territory applied for admission until Arkansas began knocking at the door of the Union in 1833. Shortly after Mr. Sevier introduced his bill providing for a census of the territory, and before that measure had been favorably reported by the committee, a sudden and unexpected change occurred in the situation at Washington. A committee of Michigan citizens arrived there with a petition asking for the passage of an act to enable the people of that territory to form a constitution and be admitted to statehood. There were no telegraphs or fast mails in 1834, by means of which the delegate in Congress could keep in touch with his constituency. But the emergency was such that prompt action was necessary.

Without waiting to consult with the people of Arkansas, Mr. Sevier decided to act upon his own initiative. He knew that he would be criticized by certain politicians at home, no matter what course he followed, yet he determined to accept the guidance of his judgment and abide by the consequences. The reasons for his actions are thus explained in a letter of January 21, 1834, to the editor of the "Gazette:"

"You will perceive that, on yesterday, I introduced a resolution inquiring into the expediency of permitting the people of Arkansas to form a constitution and come into the Union upon an equal feeting with the original states. I have done this for a variety of reasons. Michigan is now applying for admission and I have every reason to believe that her application will be granted. Michigan, of course, will be a free state, and should she go into the Union as such, the happy balance of political power now existing in the senate will be destroyed, unless a slave state should go in with her. The delegate from Florida is not now in his place, but were he here, and were he to press Florida, it would probably exclude us, and, in that event, our admission, in all probability would be deferred until Wisconsin should apply. When would this application be made? Not for a quarter of a century. Such a procrastination would not be willingly subscribed to by any of our fellow-citizens. Upon the whole, I think this not an unfavorable opportunity for our admission. At this time, also, we should be able to come in without trammels upon the subject of slavery. It may be said, however, that, in the admission of a Missouri, the subject was finally settled by compromise. It is true that a compromise was made, but I beg leave to reply that no Congress has a right to bind a succeeding Congress upon the subject of slavery, or on any other subject, and the same body that made the compromise might rescind or disregard it. * * *

"Having no memorial from our Legislature upon the subject, and no petition from the great body of the people, I have taken upon myself this responsibility. The people cannot be injured by my application, inasmuch as their acceptance or refusal of a state government will depend entirely upon themselves."

A few days after this letter was written, Mr. Tipton introduced in the senate a bill to enable the people of Arkansas to form a constitution preparatory to admission into the Union. The same senator also introduced a similar bill regarding the Territory of Michigan. Both bills were "laid on the table" near the close of the session, and there they remained.

AT THE NEXT SESSION

The second session of the Twenty-third Congress began on December 1, 1834. At the first opportunity Mr. Sevier called up the bill laid over from the preceding session, gave notice that he would offer certain amendments, and succeeded in having it made the special order for December 18th. In an optimistic tone he wrote to the "Gazette" that there were only three bills ahead of it on the calendar, and expressed his belief that it would pass before the session adjourned. The opposition was greater than he anticipated. On February 23, 1835 he wrote to—the Gazette:

"I made an ineffectual effort this morning to get up the bill granting ten

sections of land to complete the public buildings, and the bill to take our census with a view to state government."

There were then only eight more working days of the session left, but Mr. Sevier persevered in his efforts to procure the passage of the bill, only to meet defeat at the end of the term. On March 3, 1835, he wrote, announcing the failure of several measures relating to Arkansas, closing his letter as follows: "To this list of 'hope deferred' and justice delayed, may be added our state government bill, upon which I may have something more to say to my constituents hereafter."

The Michigan bill shared the same fate—"for want of time"—it was stated. The fact of the matter was that some of the members of Congress declined to give the Territory of Arkansas serious consideration, while a few of the free state leaders "played for time," hoping to bring about the admission of Michigan in some way that would exclude Arkansas.

SENTIMENT IN ARKANSAS

With the adjournment of Congress on March 4, 1835, the fight was transferred to the people. In Arkansas the sentiment was divided. The situation was well stated in an editorial in the "Gazette" of March 31, 1835, to wit:

"There are many, we know, who honestly doubt the policy or propriety of our seeking admission at this time. Their opinions, we believe, are generally formed on the supposition that we yet barely contain a sufficient population to entitle us to it, or, if we possess the requisite number, that it would be good policy in us to remain as we are a few years longer, until it shall increase to 80,000 or 100,000 souls. This, perhaps, is pretty good logic, particularly as our territorial treasury is at a low ebb, and the Government of the United States obliged to pay all our expenses while we remain a territory. But there are other considerations which we think ought to have great weight in coming to a decision on this important subject. The emigration now constantly pouring into our territory can hardly fail to make it necessary for us to become a state in the course of two or three years, at farthest. Under ordinary circumstances, perhaps prudence would dictate our waiting until that period arrives. But there is one consideration, of deep and vital importance to the future prosperity of Arkansas, which, we think, makes it the imperative duty of our citizens to demand admission immediately, instead of deferring it to a future period. It is this:

"At this time, we do not apprehend that any formidable opposition will be made to our admission, simultaneously with that of Michigan. But, if deferred beyond the next session of Congress, when the latter territory will almost certainly be admitted as a state, we apprehend that strong opposition will be made to our admission, unless trammeled with restrictions which the people of Arkansas will never submit to. We allude to restrictions in relation to the holding of slaves—a restriction which was attempted to be imposed on Missouri, at the time she was admitted into the Union, and which produced more excitement, and perhaps came nearer severing the South from the North, than any question—not even excepting the pernicious doctrine of Nullification—which has ever been agitated since the formation of our Republic. * * *

"Our sheriffs are now taking the biennial census of the territory. * * * From the rapid increase of our population by emigration during the last two years, we think we may confidently anticipate that the census returns, when they all come in, will show that our numbers entitle us to admission. If this be the case, as no doubt it will, we submit it to our fellow-citizens, whether it would not be advisable and proper for the governor—since Congress has failed to act on the subject during the late session—to convene the Legislature immediately and recommend to them the passage of a law authorizing the calling of a convention to form a constitution, to be submitted to Congress at the next session, and that our admission be demanded simultaneously with that of Michigan."

The "Advocate" also urged the importance of immediate action on the subject of admission. Encouraged by the attitude of these two leading newspapers, the friends of state government became active. They were still further encouraged when Mr. Sevier's address "To the People of Arkansas" appeared in the "Gazette" of April 7, 1835. In his address he gave an account of his stewardship during the past two years, and announced his candidacy for reëlection. He pointed out the fact that the political fortunes of Michigan and Arkansas were inseparable. "Let Michigan get into the Union without us," said he, "and we are then completely at the mercy of both Houses of Congress."

As soon as the people of Michigan learned of the defeat of the admission bill, they took steps to make their next application so strong that Congress could not fail to heed their demands. The governor called the Legislature to meet in special session, an act was passed calling an election in April for delegates to a constitutional convention, to meet in Detroit in May.

"At the next session of Congress," said Mr. Sevier in his address, "her delegate in the House of Representatives, with the constitution of his state in one hand, and the Ordinance of '87 in the other, will demand, as matter of right, her admission into the Confederacy, upon an equal footing with the original states. Knowing the difficulties she has to encounter, she is imploring us to take a similar step and stand by her in her hour of trial."

The Ordinance of 1787, referred to by Mr. Sevier, was the act of Congress establishing a government for the "Territory Northwest of the River Ohio." That ordinance provided for the division of the territory into states, which were to be admitted when they had the requisite population. Ohio, Indiana and Illinois had already been formed from the Northwest Territory and admitted to statehood under the ordinance and supplementary acts of Congress. Arkansas had an authority equally as strong as the Ordinance of 1787, a point emphasized by Mr. Sevier in his address. That authority was the treaty of April 30, 1803, under which Louisiana was ceded to the United States. Article III of that treaty provided that—

"The inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States," etc.

The question of statehood now became the great issue in Arkansas. On April 26, 1835, a mass meeting was held at Litchfield, then the county seat of Jackson County. John C. Saylors was chosen chairman and Le Roy B. Gaston was

elected secretary. After several short speeches on the subject of state government, the following resolution was adopted:

"Resolved, That his Excellency, William S. Fulton, governor of this territory, is respectfully and earnestly solicited by the people of this county, forthwith to convene the Legislature for the special purpose of submitting to them the question of the propriety of calling a convention of this territory, to frame a constituion, in time to be laid before Congress for their approval and our admission into the Union, at the next session."

An account of this meeting was published in the "Gazette" of May 26th, and in the same issue the editor suggested that, at the election on the first Monday in August, the election clerks add two columns to their poll-books, one "For State Government," the other "Against State Government," and request the electors when they came to vote to express their views on this question. It may be pertinent to remark, in this connection, that returns from sixteen of the thirty counties showed 1,942 for state government to 908 against it—a majority of more than two to one. Only three of the sixteen counties voted against it. In Van Buren County the vote stood 61 to 62 against; in Greene County the vote was 58 for to 90 against, and in Sevier it was 68 to 74 against. In Lafayette County every vote was in favor of a constitutional convention. In several counties no vote was taken on the question.

The Litchfield meeting was followed by similar gatherings all over the territory. The most notable of these meetings were as follows: In Hot Spring County, June 6; Little Rock, June 13; Dardanelle, June 27; in Arkansas County, July 4; Batesville, July 6; at William Strong's, St. Francis County, July 7 and 11; in Lawrence County, July 20; and at Fayetteville, August 20. At all these meetings resolutions were adopted calling on the governor to convene the Legislature in special session to enact a law authorizing a constitutional convention.

Meantime the opponents of state government were not idle. A number of prominent citizens assumed the position that the time was not opportune for the consideration of the subject. Correspondents under such pseudonyms as "Arkansas," "Jefferson," "Senex," "Pro Bono Publico," etc., supplied the newspapers with communications presenting the arguments on their side, the burden of which was that the people should wait until the financial condition of the territory was improved before applying for admission.

For some time Governor Fulton paid no attention to the resolutions asking him to convene the Legislature in special session, but the rising tide of public opinion finally "smoked him out." On August 4, 1835, a long manifesto from the governor appeared in the "Gazette." In this address he declared that his "principles, interests and feelings," all urged him to comply with the wishes of the people, but his "sense of duty" impelled him to refuse the request. He declared that any act of the territorial government in calling a constitutional convention, without first obtaining authority from Congress, "would be an act of usurpation and void. * * * If, therefore, I were to give my aid to this unlawful proceeding, I should consider myself to be forsworn; and from this consideration only, and not from any of those unworthy motives which are imputed to me, I have declined to convene the Legislature at an earlier period than usual."

The governor's appeal to the people came a little late, as the election occurred on the day before it made its appearance. Ambrose H. Sevier was re-elected delegate in Congress without opposition, and a majority of the members of the Legislature elected were in favor of forming a state government without waiting for the action of Congress.

ARKANSAS HAD A PRECEDENT

There are two statements in the governor's manifesto that deserve analysis. After discussing, at some length, the manner in which Louisiana and Missouri (the two states carved out of the Louisiana Purchase) had been admitted, he adds: "In no instance has the power to form a constitution and state government been usurped by the people of a territory."

The second statement relates to the admission of Ohio, Indiana and Illinois (states formed from the Northwest Territory). He devotes half a column or more to explaining that each of these states was first granted authority by Congress to form a constitution, and closes this part of his address by saying: "It appears that all the territories have formed their constitutions and state governments under the authority of the Government of the United States, and that the act granting this power must have been, in every instance, an indispensable step."

These utterances seem to indicate that the governor was either ignorant of or purposely failed to mention the manner in which Vermont, Kentucky and Maine came into the Union. In the admission of these three states the people of Arkansas had abundant precedent for forming a constitution without waiting for the passage of an enabling act by Congress.

Vermont declared itself an independent state in 1777, ten years before the adoption of the Federal Constitution. Disputes arising out of the charters of Connecticut, New Hampshire, New York and Massachusetts, concerning the territory comprising Vermont, prevented recognition of the state until the Government of the United States was fully established. In the last session of the First Congress, in order to settle the controversy, an act was passed providing for the admission of Vermont, "with all the rights, powers and immunities of the original states." It was formally admitted on March 4, 1791, but no enabling act had been previously passed.

Kentucky was originally part of the State of Virginia. In December, 1789, the Virginia Legislature passed an act authorizing the people of the District of Kentucky to meet in convention at Danville, in July, 1790, "to consider and determine whether it be expedient for the people of said district to be erected into an independent state * * * subsequent to November 1, 1791."

The Danville convention met on July 26, 1790. The vote in favor of an independent state was practically unanimous, and June 1, 1792, was fixed upon as the date when Virginia should cease to exercise authority over the district. Provision was also made for a second convention, to be held at Danville in April, 1792, for the purpose of framing a constitution. Delegates to this convention were to be elected in December, 1791. The Legislature of Virginia then passed an act "That such District shall, upon the 1st day of June, 1792, be formed into a new state, and, by the name and style of the State

of Kentucky, shall be received and admitted in this Union, as a new and entire member of the United States of America."

Congress acquiesced in the action of the Virginia Legislature, and on June 1, 1792, Kentucky became a sovereign and independent state. In this instance an enabling act was not considered "an indispensable step." The only legislation on the subject previous to admission was that enacted by the Legislature of Virginia.

Section 3, Article IV, of the Federal Constitution provides that: "New states may be admitted by Congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, or parts of states, without the consent of the Legislatures of the states concerned, as well as of Congress."

This section is introduced here to explain the manner in which Maine became a state. Maine was claimed by Massachusetts until 1818. Then the people of the "District of Maine" petitioned the Legislature of Massachusetts for permission "to form and adopt a constitution, with a view to seeking admission into the Union as a state." The prayer of the petitioners was granted by the Legislature, a constitution was framed, and on March 15, 1820, President Monroe approved an act of Congress admitting Maine into the Union. The preamble of this act expressly states that "the formation and adoption of a constitution by the people of the District of Maine, has been done with the consent of the Legislature of Massachusetts."

The proposal of the people of Arkansas to frame a constitution, without first obtaining the consent of Congress, was no more revolutionary than the Vermont convention of 1777; no more revolutionary than the action of the people of Kentucky, who sought and obtained admission through acts of the Virginia Legislature; no more revolutionary or illegal than the action of the people of Maine, who framed their constitution under the provisions of the act passed by the Massachusetts Legislature. If any of these states "usurped the power to form a constitution and state government," the Congress of the United States afterward became a party to the usurpation.

IN THE LEGISLATURE

What proved to be the last Territorial Legislature of Arkansas assembled in Little Rock on October 5, 1835. In his message Governor Fulton said: "Considering the pecuniary sacrifices and the increase of burthens which a change of government was calculated to produce, I have doubted the expediency of too sudden a change, but I have felt no desire to check the tide of popular opinion in favor of a state government; and, as the people have willed it, I now feel it to be my duty to forward this important object, by all the means competent to be used by the executive power of this territory."

The bill authorizing a constitutional convention passed the house of representatives on October 23d, by a vote of 27 to 7, and the next day it passed the council, 17 to 11. Notwithstanding the governor's declaration that he felt it to be his duty to forward this important object, etc., he refused to sign the measure. On November 2nd he returned it to the house, with a message in which he said:

"I regret that I could not approve the bill which originated in your house,

and which was delivered to me some days since, providing for the election of members to a convention, to frame a constitution and system of government for the people of Arkansas. * * * My reasons for withholding my approval were, because I did not believe that the General Assembly of the Territory of Arkansas possessed the power to pass such an act; and that, as the executive officer of a territorial government erected by acts of Congress, I had no power to sanction or concur in such an act. * * *

"Both branches of the Legislature having passed the bill by such large majorities, as clearly to indicate that it would have passed a second time in each house, by a majority of more than two-thirds, I have considered it useless to return the bill to you for reconsideration. Agreeably, therefore, to the provision of the organic law, the bill has now become an act, without my signature, so far as it is consistent with the constitution and laws of the United States establishing a territorial government in Arkansas."

ATTORNEY-GENERAL'S OPINION

With the message returning the bill, Governor Fulton submitted the opinion of Beujamin F. Butler, attorney-general of the United States, to whom the question had been referred by the governor on the last day of August. After an exhaustive review of all the premises, Mr. Butler reaches the following conclusion:

"I am not prepared to say that all the proceedings on this subject, on the part of citizens of Arkansas, will be illegal. They undoubtedly possess the ordinary privileges and immunities of citizens of the United States. Among these is the right of the people 'peaceably to assemble, and petition the government for the redress of grievances.' In the exercise of this right, the inhabitants of Arkansas may peaceably meet together in primary assemblies, or in conventions chosen by such assemblies, for the purpose of petitioning Congress to abrogate the territorial government, and to admit them into the Union as an independent state. * * * If, therefore, the citizens think proper to accompany their petition by a written constitution, formed and agreed on by their primary assemblies, or by a convention of delegates chosen by such assemblies, I perceive no legal objection to their power to do so, nor to any measures which may be taken to collect the sense of the people in respect to it."

If the governor had expected to receive support from the attorney-general, the opinion must have been disappointing. In the Legislature it had the effect of strengthening the cause of state government. Several of the members who voted against the bill, because they had some doubts about the legality of the proceeding, now became ardent supporters of the measure. Five of those who voted against the bill were afterward elected delegates to the constitutional convention.

ELECTION OF DELEGATES

The convention bill passed by the Legislature provided for the election of delegates on the second Monday in December, 1835. Pursuant to this provision, the election was held on December 8, 1835, when the following were chosen delegates from the several districts:

Arkansas County—Bushrod W. Lee.

Arkansas and Jefferson—Terence Farrelly.
Carroll—John F. King.
Carroll and Izard—John Adams.
Chicot—John Clark and Anthony H. Davies.
Clark—John Wilson.
Conway—Nimrod Menefee.
Crawford—James Woodson Bates, Richard C. S. Brown and John Drennen.
Crittenden—John D. Calvert and Wright W. Elliott.
Greene—G. L. Martin.
Hempstead—Grandison D. Royston and James H. Walker.
Hot Spring—James S. Conway.
Independence—John Ringgold and Townsend Dickinson.
Izard—Charles R. Saunders.
Jackson—John Robinson.
Jefferson—Samuel C. Roane.
Johnson—Lorenzo N. Clarke.
Johnson and Pope—Andrew Scott.
Lafayette—Josiah N. Wilson.
Lawrence and Randolph—Thomas S. Drew, David W. Lowe, Henry Slavens and Robert Smith.
Miller—Travis G. Wright.
Miller and Sevier—Richard Ellis.
Mississippi—Nathan Ross.
Monroe—Thomas J. Lacy.
Phillips—Henry L. Biscoe and George W. Ferebee.
Pike—Elijah Kelly.
Pope—Thomas Murray, Jr.
Pulaski, White and Saline—William Cummins, Absalom Fowler and John McLain.
St. Francis—Caleb S. Manly and William Strong.
Scott—Gilbert Marshall.
Sevier—Joseph W. McKean.
Union—Andrew J. May.
Van Buren—John J. Lafferty.
Washington—William McK. Ball, Mark Bean, James Boone, Robert McCamy, David Walker and Abraham Whinnery.

THE CONVENTION

On Monday, January 4, 1836, the constitutional convention assembled in the Baptist Church at Little Rock. A preliminary organization was effected by the election of Mark Bean as temporary president and John Hutt of Little Rock, temporary secretary. An adjournment was then taken until the next morning to await the arrival of four absentees—Elliott of Crittenden, Ellis of Miller and Sevier, Martin of Greene, and Ross of Mississippi. On the 5th Elliott and Martin appeared and took their seats. Mr. Ellis resigned on account of illness and on January 21, 1836, George Halbrook qualified as his successor. Walker W. Trimble first appeared as the delegate from Van Buren County, but his seat was successfully contested by John J. Lafferty. William D. Ferguson

contested the election of Wright W. Elliott, but the committee on elections reported in favor of Mr. Elliott. Nathan Ross, of Mississippi County, for some reason failed to attend the convention, as his name nowhere appears in the report of the proceedings.

John Wilson, of Clark County, was elected permanent president on the 5th, and Charles P. Bertrand, of Little Rock, was chosen secretary. The convention then voted to hold its sessions in the Presbyterian Church, where it met the next day and settled down to business.

No serious dissension occurred in the convention until the subject of legislative apportionment came up for consideration. The delegates from the northern and western counties, where there were few or no slaves, wanted the apportionment based entirely upon the number of free white male inhabitants, while those from the southern and eastern (the slaveholding) counties favored "District Representation," based upon the total population, regardless of color.

The legislative committee was composed of Messrs. Bates, Bean, Clark of Chicot, Cummins, Farrelly, King, Lacy, Lafferty, McKean, Ringgold and Saunders—six from the northern and western counties and five from the southern and eastern. On January 19, 1836, this committee, through its chairman, James Woodson Bates, presented a long report of thirty-seven sections, to constitute the constitutional provisions relating to the legislative department. One section as reported provided that the senate should consist of not fewer than nineteen nor more than thirty-three members, and that for the election of these senators the state should be divided into seven districts. David Walker moved to strike out the section, because it gave to the southern and eastern counties eleven senators and to those of the north and west only eight. Subsequently he withdrew his motion and Mr. Ringgold offered a minority report, providing specifically that there should be as many districts as there were senators, and that the districts should be so formed as to contain, as nearly as possible, an equal number of free white male inhabitants.

This minority report was adopted on the 25th by a vote of 26 to 24. Mr. Murray afterward asked and was granted permission to reconsider his vote, which caused a tie. To break the deadlock, Absalom Fowler moved to refer the question to a select committee of five. The motion was carried and the president appointed Mr. Fowler, Clark of Chicot, Clarke of Johnson, Drew and McKean as the committee. Mr. Fowler reported the next day a substitute for the section in dispute, to wit:

"Section 32. The state shall, from time to time, be divided into convenient districts for the purpose of electing senators, to be called senatorial districts, in such manner that the senate shall be based upon the free white male inhabitants of the state, each senator representing an equal number as nearly as practicable; and until the first enumeration of the inhabitants is taken, the districts shall be arranged as folows:

"The County of Washington to form one district and elect two senators; Carroll, Searcy and Izard, one; Independence and Jackson, one; Lawrence and Randolph, one; Johnson and Pope, one; Crawford and Scott, one; Conway and Van Buren, one; Pulaski, White and Saline, one; Hot Spring, Clark and Pike, one; Hempstead and Lafayette, one; Sevier and Miller, one; Chicot and Union, one; Arkansas and Jefferson, one; Phillips and Monroe, one; St. Francis and Greene, one; Crittenden and Mississippi, one.

"Section 37. The house of representatives shall consist of not less than fifty-four nor more than one hundred representatives, to be apportioned among the several counties of the state according to the number of free white male inhabitants therein, taking 500 as the ratio, until the number of representatives amounts to seventy-five; and when they amount to seventy-five, they shall not be further increased until the population of the state amounts to 500,000 souls: Provided, that each county now organized, shall, although its population may not give the existing ratio, always be entitled to one representative; and until the first enumeration shall be taken, the representatives shall be apportioned among the several counties as follows:

"The County of Washington shall elect six representatives; the County of Crawford, three; the counties of Lawrence, Randolph, Independence, Carroll, Johnson, Pope, Pulaski, St. Francis, Phillips, Chicot, Arkansas, Hempstead and Crittenden—each two; and the counties of Greene, Jackson, Searcy, Izard, Conway, Van Buren, White, Saline, Hot Spring, Monroe, Union, Clark, Jefferson, Scott, Lafayette, Mississippi, Miller, Sevier and Pike, each one representative."

Searcy County, which was given representation in the legislative apportionment, was not represented in the convention by a delegate, for the reason that the act creating it was not approved by Governor Fulton until November 3, 1835, a few days after the convention bill became a law without his signature.

The sections between 32 and 37, as reported by Mr. Fowler, provided that the senate should consist of not less than seventeen nor more than thirty-three members; that an enumeration should be taken on January 1, 1838, and at the end of every four years thereafter, of the inhabitants of the state, and that the Legislature, at the next session following such enumeration should make a new apportionment, altering and arranging the districts so that each should contain "as nearly as practicable an equal number of free white male inhabitants," etc.

The report of the select committee acted as oil upon troubled waters. It was adopted by a vote of 28 to 22, and on motion of Mr. Fowler sections 33 to 37 inclusive of the original report were stricken out. Harmony was thus restored. The convention completed its labors on Saturday, January 30, 1836, and C. F. M. Noland, of Independence County was selected as a special messenger to carry the constitution to Washington for presentation to Congress. It was signed by all the delegates except Nathan Ross and David Walker.

LAST ACT OF THE DRAMA

The scene now shifts to the national capital. Messenger Noland did not reach Washington until March 8, 1836. On the last day of February Mr. Sevier received the "Gazette Extra" of February 4, 1836, which contained a copy of the constitution and the next day presented it in the house of representatives. The same day he wrote to Mr. Woodruff as follows:

"I received on yesterday your extra containing the constitution, and on today I presented your extra to Congress. I have no doubt but your paper contains an exact copy of the constitution, and I thought it better to have it before the committee without delay. Mr. Noland has not yet arrived, nor am I able to account for his delay.

"I think the constitution an excellent one. There are but few things in it, and they are of minor importance, that I would alter. But what has become of the ordinance? If there should be any difficulty now, it will be on account of no provision being inserted upon the subject of taxing the public lands within our limits. I hope that such an important arrangement has not been omitted, but will be brought on by our messenger."

Mr. Noland carried but one copy of the constitution and proceedings of the convention. It was addressed to the secretary of state, who immediately turned it over to the President. On March 10, 1836, the President transmitted the proceedings and copy of the constitution to Congress. On motion of Mr. Buchanan the matter was referred to a select committee, of which Mr. Buchanan was made chairman. In the house it was referred to the committee on territories. On the 22nd Mr. Buchanan reported a bill for the admission of Arkansas into the Union, which was read twice and ordered engrossed.

The Michigan bill, in charge of Thomas H. Benton, passed the senate on April 2, and "The moment then that the Michigan bill had passed," says Benton in his "Thirty Years," "that of Arkansas was taken up under the lead of Mr. Buchanan, to whom the Arkansas application had been confided."

Mr. Swift, one of the senators of Vermont, announced that he could not vote for the bill because the constitution made slavery perpetual. The provision to which he and a few other senators objected was Section 1, Article VII, which read as follows: "The General Assembly shall have no power to pass laws for the emancipation of slaves, without the consent of their owners. They shall have no power to prevent emigrants to this state from bringing with them such persons as are deemed slaves by the laws of any one of the United States."

Senator Benton called attention to the fact that the people of Arkansas "had put their application into the hands of a senator from a nonslaveholding state; and the people of Michigan had put their application into the hands of a senator (himself) coming from a state where the institution of slavery existed, affording a beautiful illustration of the total impotence of all attempts to agitate and ulcerate the public mind on the worn-out subject of slavery. * * * The abolition question seems to have died out, there having not been a single presentation of a petition on that subject since the general jail delivery ordered by the senate."

The bill passed the senate on April 4th, by a vote of 31 to 6, three members being absent and eight refusing to vote. Both bills then went to the house, where they were debated at intervals until June 13th, when they were passed. The vote on the Arkansas bill was 143 ayes to 50 nays. Two days later the senate supplementary bill, which had been passed by that body on May 26, 1836, was passed by the house and the same day both measures were approved by President Jackson. The admission of Arkansas therefore dates from June 15, 1836. In the case of Michigan, certain provisions relating to the southern boundary line were submitted to the people of that state for acceptance or rejection. This caused a delay and Michigan did not come into the Union until January 26, 1837. On July 4, 1836, the twenty-fifth star was added to the constellation on the national colors, representing the sovereign State of Arkansas.

PART III

POLITICAL

CHAPTER XII

GOVERNORS CONWAY AND YELL

FIRST STATE ELECTION—ABSENCE OF POLITICAL PARTIES—CONWAY'S ADMINISTRATION—FIRST STATE LEGISLATURE—INAUGURATION OF GOVERNOR CONWAY—ELECTION OF STATE OFFICERS—SPECIAL ELECTION—REGULAR ELECTION OF 1837—EXTRA SESSION OF THE LEGISLATURE—THE WILSON-ANTHONY AFFAIR—ELECTION OF 1838—SECOND GENERAL ASSEMBLY—CAMPAIGN OF 1840—THIRD LEGISLATURE—YELL'S ADMINISTRATION—GOVERNOR YELL INAUGURATED—ELECTION OF 1842—FOURTH LEGISLATURE—POLITICAL CAMPAIGN OF 1844—SAMUEL ADAMS, ACTING GOVERNOR.

The administrations of the first two state governors embrace the period from 1836 to 1844. During that time the machinery of the state government was placed in working order, the population increased more than 200 per cent, a number of new counties were organized, new towns were laid out, several important highways were opened, etc.

FIRST STATE ELECTION

Section 7 of the schedule attached to the Arkansas constitution of 1836 provided that an election should be held in the several precincts on the first Monday in August, 1836, for a governor, a representative in Congress, members of the General Assembly and certain county officers. State conventions and primary elections for the nomination of candidates were then unknown. The manner in which the first candidates were nominated in Arkansas was somewhat unique. On May 14, 1836, a meeting of citizens was held at Fayetteville, over which Robert McCamy presided, to express a choice for governor and representative in Congress. This meeting adopted resolutions favoring James S. Conway for governor, Archibald Yell, for Congress, and recommending Ambrose H. Sevier for United States senator.

On the 4th of June a similar meeting was held in Lawrence County. George S. Hudspeth was chairman of the meeting and David W. Lowe acted as secretary. Conway, Yell and Sevier all were indorsed and candidates for state senators, representatives and county officers were named.

Just two weeks later (June 18) a large mass meeting, in which the counties of Pulaski, White and Saline were represented, was held in the city of Little Rock. David Fulton presided. The resolutions approved the administration of Governor Fulton, indorsed Conway and Yell for governor and representative in Congress, and commended the work of Mr. Sevier as delegate in Congress, especially his efforts for the admission of Arkansas into the Union as a state.

At the Fayetteville meeting B. H. Smithson, Isaac Murphy, J. M. Hoge,

James Boone and Onesimus Evans were appointed a committee to communicate with Mr. Conway and obtain his consent to become a candidate for governor. Mr. Conway's answer appeared in the "Arkansas Gazette" of July 5, 1836. He agreed to make the race and concluded his letter by saying: "I beg my friends in Lawrence and Pulaski counties, who have publicly nominated me likewise, as well as those who have personally solicited me, to consider this an acceptance of their nominations, and that this answer may embrace the whole."

Party lines were not yet tightly drawn in Arkansas. Those who supported Mr. Conway and Mr. Yell were also supporters of Martin Van Buren for the Presidency, and the ticket was published in the "Gazette," under the caption of the "Democratic-Republican Ticket."

In the "Advocate" of June 20, 1836, the names of Absalom Fowler and William Cummins were announced as candidates for governor and representative in Congress. The same paper contained a call for a meeting of the "citizens of Pulaski, White and Saline counties, opposed to the election of Martin Van Buren, the northern abolitionist, at the courthouse in the City of Little Rock on Saturday, the 25th instant, for the purpose of nominating candidates to be run at the approaching August election, in the even we are admitted into the Union."

Maj. Nicholas Peay presided at that meeting. Absalom Fowler was nominated for governor, William Cummins for Congress, and a full complement of county officers were also nominated. In the next issue of the "Advocate" the names of the candidates appeared under the heading of "People's Ticket." The meeting indorsed Hugh L. White, of Tennessee, for President and appointed a committee of twelve, of which Albert Pike was chairman, to prepare an address to the people of Arkansas, urging them to vote for Judge White, Fowler and Cummins. The address appeared in the "Advocate" of the following week.

This campaign really marked the beginning of political parties in Arkansas. During the territorial era the people were frequently divided into factions, following personal leaders, and these factions have sometimes been erroneously referred to as parties. That the party spirit was not fully developed in 1836 is seen in the names given to the opposing tickets, to wit: "Democratic-Republican Ticket" and "People's Ticket." They subsequently became known as the Democratic and Whig parties, respectively. In the campaign the former was referred to by the Fowler supporters as the "Van Buren Ticket."

As this was the first presidential election in which Arkansas participated, a few words concerning the opposing candidates may not be out of place. Martin Van Buren, the Democratic candidate, was a citizen of New York and was elected Vice President on the ticket with Jackson in 1832. It was no secret that Jackson desired the election of Van Buren as his successor. The President had many loyal friends in Arkansas, who were willing to accept Van Buren as their candidate, just to show their regard for the hero of New Orleans.

Judge Hugh L. White was one of the United States senators from Tennessee. In January, 1835, the Legislature of that state formally nominated him for the Presidency, just as the same body had nominated Jackson in 1828. When the day came for the action of the Legislature, each member found copies of the "Washington Globe" on his desk. In these papers were bitter attacks upon

Judge White, and it is a significant fact that the documents were "franked" by the President, some of the wrappers being addressed in his own hand. Notwithstanding this, all but two members of the Legislature voted for the nomination of White, which action was soon followed by the Legislature of Alabama.

In February, 1835, Jackson wrote to a friend suggesting a national convention, to be composed of delegates "fresh from the people." Jackson had been nominated by a delegate convention in 1832, which was the beginning of the national convention system. The convention of 1835 met in Baltimore on May 20th. Twenty-two states and the territories of Arkansas and Michigan were represented. Of the 626 members of the convention, 181 came from Maryland; 108, from Virginia; 73, from New Jersey, and 60, from Pennsylvania. Tennessee sent no delegation, but a citizen of the state and a supporter of Van Buren was permitted to cast the fifteen votes allotted to that state. Van Buren was nominated, more than eighteen months before the election, which occurred on November 8, 1836. The fact that more than two-thirds of the delegates came, from four states, and that one unauthorized delegate from Tennessee cast the vote of that state, made Jackson's phrase—"fresh from the people"—one upon which the opposition "rang the changes" during the ensuing canvass. But the prestige of Jackson was too strong to be overcome and Van Buren was elected. In Arkansas Van Buren received 2,400 votes and Judge White received 1,238.

At the state election on August 1, 1836, Conway was elected governor, receiving 5,338 votes, to 3,222 cast for Absalom Fowler and 28 for Alexander S. Walker. For Congress, Archibald Yell defeated William Cummins by a vote of 6,094 to 2,379.

CONWAY'S ADMINISTRATION

James Sevier Conway, the first state governor of Arkansas, was born in Greene County, Tennessee, December 9, 1796. He was the second of seven sons born to Thomas and Ann (Rector) Conway. The family was prominent in the early history of Arkansas and Missouri. Henry W., the eldest son, was three times elected delegate in Congress from Arkansas. Frederick R., the third son, was recorder of French and Spanish land claims at St. Louis, and was afterward surveyor-general of Missouri. John R., the fourth son, served as a surveyor under his uncles, William and Elias Rector, and later became an eminent physician. He died in California in 1868. His son, Thomas, was a member of William Walker's filibustering expedition into Nicaragua in 1854. William, the fifth son, studied law and in 1846 became one of the judges of the Arkansas Supreme Court. His name frequently appears as William B. Conway. On account of another William Conway frequently receiving his mail, he adopted the custom of signing himself "William Conway, B." Thomas, the sixth son, died in Missouri soon after he reached his majority. Elias N., the youngest of the family, served as territorial auditor of Arkansas and in 1852 was elected governor.

James S. Conway first came to Arkansas in 1820 as one of a surveying party. In 1823 he bought a farm on the Red River, in what afterward became Lafayette County. Two years later he was appointed by President John Quincy Adams to survey the western boundary of Arkansas Territory from the Red

River to the Arkansas. It is worthy of note that, when the line was resurveyed, thirty years later, no variation was made from the Conway line of 1825. In 1831 President Jackson appointed him as the Arkansas commissioner to work with R. A. Crane, commissioner from Louisiana, to determine the southern boundary of the territory. On June 21, 1832, the office of surveyor-general for Arkansas Territory was created and Mr. Conway was appointed to the position. In the spring of 1836 he resigned and Edward Cross was appointed to the vacancy.

At the expiration of his term as governor in 1840, Mr. Conway retired to his plantation, "Walnut Hill," in Lafayette County. Resisting all the importunities of his friends to reenter public life, he devoted his attention to his plantation. He owned over one hundred slaves and at the time of his death on March 3, 1855, he was one of the largest cotton growers in Southern Arkansas.

On December 21, 1826, Mr. Conway married Miss Mary J. Bradley, daughter of one of Lafayette County's pioneers. His son, Frederick E. Conway, was for many years state land commissioner.

FIRST STATE LEGISLATURE

The constitution of 1836 provided that the General Assembly should consist of a senate and house of representatives; that the senate should consist of not fewer than seventeen nor more than thirty-three members; that the house should consist of not fewer than fifty-four nor more than one hundred members; and divided the state into districts for the election of members of the two houses. It was also provided that the members elected on the first Monday in August should meet on the second Monday in September. The state-house, though not completed, was put in condition and the Legislature assembled therein on Monday, September 12, 1836. Following is a list of the members, with the counties or districts they represented:

Senators—Arkansas and Jefferson, Samuel C. Roane; Carroll, Izard and Searcy, Charles R. Saunders; Chicot and Union, John Clark; Clark, Hot Spring and Pike, A. E. Thornton; Conway and Van Buren, Amos Kuykendall; Crawford and Scott, Richard C. S. Brown; Crittenden and Mississippi, William D. Ferguson; Greene and St. Francis, Mark W. Izard; Hempstead and Lafayette, George Hill; Independence and Jackson, John Ringgold; Johnson and Pope, John Williamson; Lawrence and Randolph, Robert Smith; Miller and Sevier, Joseph W. McKean; Monroe and Phillips, James Martin, Pulaski, Saline and White, John McLean; Washington, William McK. Ball and Robert McCamy.

House—Arkansas, James Maxwell and James Smith; Carroll, Wilbur D. Reagan and Lewis B. Tully; Chicot, A. H. Davies and D. L. F. Royston; Clark, John Wilson; Conway, John Linton; Crawford, John Drennen, John Lassater and Andrew Morton; Greene, Alexander Tucker; Hempstead, James W. Judkins and Grandison D. Royston; Hot Spring, John W. Reyburn; Independence, Townsend Dickinson and Charles H. Pelham; Izard, Thomas Culp; Jackson, Rowland Tidwell;. Jefferson, William Phillips; Johnson, E. B. Alston and Samuel Adams; Lafayette, T. T. Williamson; Lawrence, Jonathan Hardin and William B. Marshall; Miller, A. G. Milton; Mississippi, P. H. Swain; Monroe, Isaac Taylor; Phillips, J. C. P. Tolleston and J. J. Shell; Pike, Asa

Thómpson; Pope, W. H. G. Teevault and John J. Morse; Pulaski, Richard C. Byrd and John H. Cocke; Randolph, William Pyeburn and J. J. Anthony; St. Francis, P. Littell and Charles Franks; Saline, Charles Caldwell; Scott, James Logan; Searcy, Brown C. Roberts; Sevier, George Taaffe; Union, A. J. May; Van Buren, Luke Grimes; Washington, John S. Blair, James Boone, James Brandon, J. M. Hoge, Daniel Vaughan and Abraham Whinnery.

Samuel C. Roane was elected president of the senate and John Wilson was chosen speaker of the house. The first duty that devolved upon this General Assembly was to canvass the returns of the August election and announce the result. As soon as that was done arrangements were made for the

INAUGURATION OF GOVERNOR CONWAY

A public meeting was held on the afternoon of the 12th, with Mayor James Pitcher presiding. James De Baun was selected as marshal and given full power to appoint his aides. Shortly after noon on the 13th a procession was formed and moved to Governor Conway's residence to escort him to the capitol. First came Captain Kavanaugh's company of mounted volunteers, then a band of music, next carriages containing the governor, W. S. Fulton, A. H. Sevier, Judge Edward Cross, Lieutenant-Colonel Rector and Captain Brown, of the United States army, and the carriages were followed by a large body of citizens.

Upon arriving at the capitol, Governor Conway was conducted to the hall of representatives, where he delivered a short inaugural address. The oath of office was then administered by Albert Pike, after which a salute of twenty-six guns was fired. The procession then re-formed and escorted the governor back to his home.

On the 17th Governor Conway's message was read to a joint session of the two branches of the Legislature. In it he urged the completion of the state-house; the appointment of a board of internal improvement; the appointment of agents or commissioners to select the seventy-two sections of land granted to the state by the act of admission (the grant was "all salt springs, not exceeding twelve in number, with six sections of land adjoining each"); and recommended that the money paid into the state treasury from the five per cent received from the sale of public lands be loaned until a sufficient amount had accumulated to be applied to the building of roads and canals.

ELECTION OF STATE OFFICERS

The constitution made it the duty of the two houses of the General Assembly to meet in joint session and elect a secretary of state, auditor of state, treasurer of state and judges of the Supreme Court. On different days joint sessions were held for the purpose of electing these officers. For secretary of state Robert A. Watkins and John J. Clendennin were placed in nomination. Watkins received forty-five votes and Clendennin received eighteen. Elias N. Conway was elected auditor without opposition. William E. Woodruff received forty votes for state treasurer, defeating David Fulton, who received thirty votes. Townsend Dickinson, Thomas J. Lacy and Daniel Ringo were elected justices of the Supreme Court. Judge Ringo was the first chief justice.

On September 19, 1836, a joint session was held for the purpose of electing two United States senators. Ambrose H. Sevier, William S. Fulton and Horace F. Walworth were nominated. Sevier received sixty votes, Fulton received fifty-six, and Walworth received four. Sevier and Fulton having received a majority of all the votes cast were declared elected—the first United States senators from the State of Arkansas.

During this first session of the State Legislature acts were passed as follows: Prescribing the powers and duties of the Supreme Court; providing for the appointment of notaries public; fixing the salaries of certain officers in the State of Arkansas; revising the militia laws and authorizing their publication in pamphlet form; incorporating the Bank of the State of Arkansas and the Real Estate Bank; authorizing the governor to negotiate a loan of $40,000; providing for the disposition of the additional five sections of land granted by Congress for the completion of public buildings, and authorizing the governor to call a special election for a representative in Independence County, to fill the vacancy caused by the election of Townsend Dickinson to the Supreme Court. Memorials to Congress asked for better protection on the western border of the state, a preemption law of broader scope, and appropriations for certain roads in the state. Two new counties—Benton and Madison—were created at this session. The Legislature adjourned on November 8, 1836.

SPECIAL ELECTION

On June 5, 1837, Governor Conway issued a proclamation calling a special election for representative in Congress on the second Monday in July. When Archibald Yell was elected to Congress in 1836, he became a member of the Twenty-fourth Congress, which expired on March 4, 1837. President Van Buren called the Twenty-fifth Congress to meet in special session on the first Monday in September, 1837. Arkansas had no representative in that Congress, and as the regular election in the state did not occur until the first Monday in October, 1837, Governor Conway called the special election, in order that Arkansas might be properly represented at the opening of the extra session in September.

Mr. Yell was renominated on the "Jackson Republican Ticket." It was claimed by the opposition that the governor had no legal authority to call a special election, and that whoever was elected would not be permitted to take his seat. Nevertheless, Mr. Yell was elected, receiving 1,083 votes to 156 divided among three opponents, and was permitted to occupy his seat.

REGULAR ELECTION OF 1837

The regular election for a representative in Congress occurred on October 2, 1837. Again Mr. Yell was nominated on the "Jackson Republican Ticket," and John Ringgold, of Independence County, was nominated on the "People's Ticket." Five members of the house of representatives in the First State Legislature had been appointed judges of Circuit Courts; two had been appointed prosecuting attorneys; one had been appointed sheriff of his county, and one had resigned. In a proclamation dated July 18, 1837, Governor Conway authorized the election of representatives to fill the vacancies.

In his proclamation the governor also called for the election of a representative from Hempstead County, to take the place of Grandison D. Royston, who had been appointed United States district attorney for the State of Arkansas. Mr. Royston had been so appointed by President Jackson, who withdrew his name before confirmation by the senate.

For Congress, Yell received 2,836 votes and Ringgold received 1,588. The campaign was a spirited one and for the first time in Arkansas politics the terms "Whig" and "Democrat" were correctly applied to political organizations.

EXTRA SESSION OF THE LEGISLATURE

On July 18, 1837, Governor Conway issued a proclamation, setting forth that the auditor's report showed that by the 1st of November there would be a surplus of some sixteen thousand dollars in the treasury of the state, and that by the first Monday in November, 1838, it was estimated that the surplus would reach $50,000. The governor called attention to the constitutional provision that prohibited a greater rate of taxation than was actually necessary for the needs of the state government and institutions, without the consent of two-thirds of each branch of the General Assembly. To correct existing conditions and enact a law providing for a lower rate of taxation, he called the Legislature to meet in extra session on the first Monday in November.

The special session met on November 6, 1837, and continued in session until March 5, 1838, being one of the longest legislative sessions in the history of the state. In his message the governor said:

"Our constitution directs that no other or greater amount of revenue shall at any time be levied than required for the necessary expenses of the government, unless by a concurrence of two-thirds of both houses of the General Assembly. The act to provide for a permanent system of revenue for the state does not appear to have passed both houses of the General Assembly by a concurrence of two-thirds, yet, by it, a greater amount of revenue is levied than seems required for the necessary expenses of the government.

"The fact that our treasury is full to overflowing is truly gratifying; it indicates a provident legislation and a prosperous people. But our constitution providently restricts onerous assessments upon the people. * * * I therefore recommend to your wise consideration the propriety of reducing the taxes to the economical and legitimate demands of government."

According to the Federal Constitution and the rules of the United States Senate, one-third of the members are elected every two years. When a new state is admitted the senators are allotted terms of such length as will maintain this custom. Ambrose H. Sevier was allotted a term which expired on March 4, 1837. On November 7, 1837, he was unanimously elected for a full term of six years.

THE WILSON-ANTHONY AFFAIR

During the session several attacks were made on the Real Estate Bank, of which John Wilson, speaker of the house was president. On December 4, 1837,

while the house had under consideration a bill to pay a bounty on wolf scalps, a member offered an amendment to the effect that any one killing a wolf might deposit the scalp with a justice of the peace, who should issue his certificate of the fact, which certificate should be receivable in payment of county taxes. Maj. Joseph J. Anthony, one of the members from Randolph County, moved as a substitute for the words "justice of the peace," that the certificate should be signed by "the president of the Real Estate Bank."

Major Anthony had served with distinction in the War of 1812, having been one of the defenders of Fort Sandusky, and was with Gen. Andrew Jackson in the Creek war. He had been one of the most bitter opponents to legislation favoring the Real Estate Bank, and Speaker Wilson regarded his motion as an insult. After the wolf-scalp bill was disposed of, Major Anthony rose to explain that no insult was intended, and that his motion was offered merely as a joke. The speaker ordered him to take his seat. Anthony said he had a right to stand. Instead of calling the sergeant-at-arms, whose duty it was to preserve order, Mr. Wilson left the speaker's chair and advanced toward Anthony, saying: "I'll make you sit down," and drew a large bowie knife.

Anthony was a large and powerfully built man and was also armed with a knife. As he saw the speaker approaching him he made an effort to draw his knife, but had some trouble in doing so. Accounts of the affair are somewhat confusing, but it seems that some one threw a chair between the two men, and that Anthony dropped his knife and took up the chair as a weapon of defense. As he raised the chair, Wilson caught it with his left hand and stabbed under it, the knife striking Anthony in the breast. Again Anthony tried to raise the chair, but dropped to the floor and expired almost immediately.

Wilson was expelled by the house and Grandison D. Royston was elected speaker. An indictment for murder in the first degree was returned by the Pulaski County grand jury against Wilson, but on account of the excitement at Little Rock, his attorneys took a change of venue to Saline County. He was tried at the May term in 1838 and the jury found a verdict of "Guilty of excusable homicide, and not guilty as charged in the indictment."

Mr. Wilson had been prominent in the politics of the state. He was president of the constitutional convention and had several times represented his county in the General Assembly. Pope says: "The verdict caused the most intense indignation throughout the state. This tragedy was most sad and deplorable. A family despoiled of its head and support, and the very first pages of the history of a state just ushered into existence stained with the blood of a representative man, slain by the hand of another high in official preferment. Truly a bloody baptism for the new capitol building."

On February 6, 1838, B. M. Simpson took his seat as a representative from Randolph County, having been elected to fill the vacancy caused by the killing of Major Anthony.

Over two hundred acts were passed by the special session. One of these renewed and amended the charters of the State and Real Estate banks and legalized the suspension of specie payments. Other acts of a general nature were: To prescribe the manner of bringing suits against the state; to report the decisions of the Supreme Court; to regulate practice in the Supreme Court; to provide a permanent system for levying and collecting the revenues of the

state; to fix the time for holding courts in the several circuits; to vest in the United States jurisdiction over the forts and arsenals in the state; to regulate the fees of office; to prescribe the powers and duties of courts of record, and to prescribe the manner in which highways should be laid out and built. Franklin and Poinsett counties were created, and a number of acts incorporating turnpike, ferry and coal mining companies were passed.

ELECTION OF 1838

The only officers to be elected in 1838 were a representative in Congress and members of the General Assembly. Early in the year Mr. Yell advised some of his friends that he would decline to serve another term. The campaign opened with a meeting in Washington County, of which Robert McCamy was chairman. A committee of twelve was appointed to nominate a candidate for Congress and after consultation the chairman, Jacob W. Walker, reported the name of Edward Cross.

Judge Lewis B. Tully announced himself as a Democratic candidate, which led the "Gazette" to charge that he had been brought out by the Whigs, whose watchword was "Divide and conquer." This charge brought out an opposition to Tully which caused him to withdraw. The Whig party nominated William Cummins.

The election was held on the 1st of October. For Congress, Cross received 6,771 votes and Cummins received 4,218. In the state senate eight members held over and nine were elected in 1838. The senate was composed of four Whiggs and thirteen Democrats, and the house contained seventeen Whigs, thirty-two Democrats, and five Independents.

SECOND GENERAL ASSEMBLY

The second State Legislature met on November 5, 1838, and continued until the 17th of December. Mark W. Izard, of St. Francis County, was elected president of the senate, and Gilbert Marshall, of Scott County, was elected speaker of the house. In his message Governor Conway announced that the commissioners appointed to locate the salt springs and select the six sections of land adjoining each had completed their labors and recommended an appropriation to compensate them.

"It is believed," said he, "that the grant from the General Government, of twelve salt springs, with six sections of land adjoining each, could not be procured in the state without interfering with numerous improvements made by individuals. The commissioners have therefore been compelled, in the discharge of their duty, to select many lands upon which improvements have been made. The importance and value of this grant to the state must be evident to all; and it is now for the General Assembly to decide on the reported selections, and determine whether or not the tracts of land selected on which settlers with improvements are situated shall be retained as part of the grant, and if retained, what course shall be pursued toward the occupants; and likewise the disposition which will be made of the whole grant, which cannot be sold or leased for a longer period than ten years without the consent of Congress."

On the subject of education the governor said: "I feel a deep solicitude

that the present General Assembly should take into serious consideration the necessity and importance of acting upon the subject of education. When we have ample means bestowed upon us by the General Government, for the erection and support of a seminary of learning of the first class, shall we carelessly defer its commencement, when the best interests of our state and the education of the rising generation call loudly for immediate action? Shall we remain inactive and suffer our children to grow to manhood uneducated, and give them cause to lament, in after time, that their fathers supinely neglected to use means munificently bestowed, before their existence, for their education? I trust not; and now, as I have in former messages, earnestly recommend that measures be adopted that will insure the speedy erection of a seminary. I recommend that provision be made, by law, for the selection of a suitable point of location for the institution, and that a part of the seventy-two sections of land donated, many years ago, for such an establishment, be sold and a building commenced on a plan hereafter to be enlarged to the dimensions of a seminary of the first class."

The Assembly did not deem it advisable to undertake the establishment of a seminary at that time, but on December 17, 1838, Governor Conway approved an act appointing the governor the agent of the state to dispose of the unsold seminary lands, on terms of one-fourth cash, the balance in three equal annual installments, with interest at ten per cent, all funds to be deposited in the Bank of the State of Arkansas and allowed to accumulate until a sum sufficient for a seminary was on hand.

At this session Samuel C. Roane and William McK. Ball, who had been appointed commissioners to revise and codify the laws of Arkansas, made their report. The special committee, to whom was referred the "Revised Code," reported that it was not perfect, but recommended its adoption. It was accordingly adopted. Notes and index were prepared by Albert Pike and the volume was published in 1839. Other acts of the session were: to redistrict the state for senators and representatives in the General Assembly; to divide the state into seven judicial districts; to create the counties of Desha and Searcy; to establish a penitentiary; to incorporate the Little Rock and Lewisburg academies; to fix the rate of interest charges by the Bank of the State of Arkansas and its branches, and a number of local or special acts were passed. John Hutt was elected state treasurer to succeed William E. Woodruff.

CAMPAIGN OF 1840

Interest in the elections of 1840 was manifested as early as November 30, 1839, when a meeting in Washington County indorsed Edward Cross for reelection to Congress. On February 8, 1840, a Democratic meeting at Clarksville, Johnson County, nominated Archibald Yell for governor, Edward Cross for Congress, and appointed a committee to inform them of the action of the meeting. On February 24, 1840, Cross wrote from Washington to C. M. McClelland and others, accepting the nomination and agreeing to make the race for another term. Meetings in a number of other counties adopted resolutions favoring Yell for governor and Cross for Congress. On April 29th the Gazette published Yell's circular, in which he gave his views on public questions and accepted the nomination for governor.

The Whig party was more active in Arkansas this year than in any pre-

ceding campaign. On February 10, 1840, a mass meeting at Bentonville adopted resolutions favoring the candidacy of Gen. William Henry Harrison for the Presidency. On March 13th a meeting at Little Rock nominated Absalom Fowler for Congress; John Ringgold, of Independence County; John H. Cocke, of Pulaski, and Lewis Evans, of Washington, for presidential electors. On May 13th a Whig rally was given at Little Rock, when a flag-pole was raised and a log cabin erected.

In the meantime a Democratic Convention, held at Little Rock on the 5th of May, nominated John Miller, of Independence County, John McClelland, of Washington, and Samuel M. Rutherford, of Saline, for presidential electors. Pope, in his "Early Days," tells of a Democratic mass meeting at Little Rock, in June, 1840, followed by a large torchlight procession in the evening, and then says: "This demonstration did not, however, compare with the monster Whig meeting which took place on the 13th and 14th of the following July. People came from every nook and corner of the state, many of them prepared to camp out during the meeting. A party composed of 150 men and fifty ladies rode horseback all the way from Independence County. They brought with them a large canoe—emblematic of Tippecanoe—made in sections and transported in wagons from Batesville. On the day of the great parade—the procession was estimated to have contained between four and five thousand people—the canoe was put together and mounted upon wheels, and in it was seated a bevy of pretty ladies, representing the twenty-six states and wearing Harrison and Tyler badges. The prow of the boat was surmounted by a miniature log cabin, upon the roof of which was a live coon."

At the state election on the 5th of October, Yell was elected governor without opposition, except a few "scattering" votes. Cross defeated Fowler for Congress by a vote of 7,876 to 5,788. Van Buren and Johnson, the Democratic candidates, carried the state at the presidential election in November, receiving 6,766 votes, to 5,160 cast for Harrison and Tyler.

THIRD LEGISLATURE

The third State Legislature began its regular session on November 2, 1840. Under the new apportionment, the senate consisted of twenty-one members and the house of sixty-three members. Politically, the senate was composed of sixteen Democrats and five Whigs, while in the house there were forty-one Democrats and twenty-two Whigs. Mark W. Izard was elected president of the senate, and George Hill, speaker of the house. In his farewell message of November 3d, Governor Conway said: "The accompanying reports of the auditor and treasurer give a full and detailed statement of the condition of the revenue; that of the former shows that the state debt on the 30th of September, 1840, was $95,362.80, not deducting the amount to be raised from taxes assessed for the year 1840, not yet due from collectors."

Again he urged that some action be taken toward the establishment of a school system. "The General Government," said he, "with a desire to diffuse knowledge and learning, has placed sufficient means at our disposal to establish a seminary of learning of the first class; and not unmindful of common schools, has granted for their support one thirty-sixth part of all the land in the state. We have yet to derive the benefits of these important grants; and the respon-

sibility of wisely applying them to the objects for which they were donated rests upon the General Assembly; and the earlier they, in their wisdom, think proper to perform the task, it would seem to me the better. I would therefore ask their serious attention to the subject."

YELL'S ADMINISTRATION

Archibald Yell, the second state governor of Arkansas, was born in North Carolina in August, 1797. Before reaching his majority he went to Bedford County, Tennessee. There he organized a volunteer company of young men, to which the name "Jackson Guards" was given, and of which he was elected captain. His first meeting with Gen. Andrew Jackson was when he tendered the services of his company for the war with the Creek Indians. He commanded his company at the battles of Emuckfau, Horseshoe Bend, Talladega and other engagements of the compaign, and by his skill and bravery won Jackson's admiration. Later, when General Jackson called for volunteers to defend New Orleans, Captain Yell was among the first to respond. After the war Young Yell read law and was admitted to the bar. In 1818 he again answered the call of General Jackson for volunteers and served through the Seminole war. He then located at Shelbyville, Tennessee, where he began the practice of law and was elected to represent Bedford County in the Legislature.

Governor Yell, in whatever capacity he was called upon to serve his adopted state, whether as jurist, statesman or soldier, always acquitted himself with credit. He left the impress of his character upon Arkansas and her institutions, to a greater extent, perhaps, than did any of his contemporaries. In view of this fact it is a matter of regret that the state archives contain so little concerning him. Even the date of his arrival in the state has been a matter of speculation, as the following quotations from Arkansas historians will show. Hallum (p. 112) says:

"He achieved local fame as a lawyer in Tennessee before Jackson became President. When that event crowned an era in our history, the old hero placed the judicial seal in the hands of two young natives of North Carolina, in whom he had unqualified confidence—Archibald Yell and Thomas J. Lacy, names lustrous and inseparable from the history of Arkansas. Yell was offered choice of two vacancies: governor of Florida or territorial judge of Arkansas, and chose the latter. The two young men were commissioned in 1832 and proceeded soon thereafter to their respective stations. Judge Lacy located in his district at Clarendon in Monroe County. Judge Yell at Fayetteville."

Hempstead, in his "Historical Review of Arkansas" (1911), gives a very different account (p. 156), to wit: "He came to Arkansas from Shelbyville in January, 1831, having in the previous December been appointed receiver of public moneys of the Little Rock Land District. He resigned this office in the latter part of 1832 and from 1833 practiced law at Little Rock. In 1835 he was appointed judge of the Superior or United States Court of the territory."

Shinn's "School History of Arkansas" (p. 135) says: "He moved to Arkansas in 1832, to fill the position of receiver of the land office at Little Rock, to which he had been appointed by President Jackson. Resigning this position in 1832, he began the practice of law. In 1835 he was appointed judge of the Superior Court."

The epitaph on his monument at Fayetteville is as follows: "Archibald Yell, born in North Carolina, August, 1797. A volunteer in the Battle of New Orleans; district judge of Arkansas Territory in 1832; first member of Congress from the state; governor, 1840; elected to Congress again, 1844; resigned and accepted colonelcy of Arkansas Volunteers for the Mexican war, 1846; killed at Buena Vista, February 22, 1847. A gallant soldier, an upright judge, a fearless advocate of popular rights, a sincere friend, an honest man."

After reading these contradictory statements, the writer undertook the task of ascertaining, if possible, just when Governor Yell came to Arkansas. A diligent search was made through old newspaper files, public documents, etc., when it was learned that he arrived in Little Rock on December 15, 1831, having been appointed receiver of public moneys of the Little Rock land office, to succeed Capt. Benjamin Desha, resigned. After a few months he resigned the receivership to begin the practice of law. On March 3, 1835, he succeeded Judge Thomas P. Eskridge on the bench of the Superior Court of the territory, to which position he was appointed by President Jackson. He then removed to Fayetteville, in order to be in his judicial district.

Governor Yell was nearly six feet tall and of athletic build. On one occasion, while serving as judge, when the name of a defendant was called for trial, the sheriff announced that the man had not been arrested because he was a noted desperado and everybody was afraid to serve on a posse.

"Where is he?" asked Judge Yell.

"At a saloon here in town," replied the sheriff.

"Then," said the judge, "deputize me and show him to me."

The sheriff immediately qualified the judge as a deputy and led the way to the saloon, followed by a crowd of curious spectators. Judge Yell walked up to the reputed desperado, seized him by the throat and shouted: "God damn you, come into court and answer to your name and the indictments against you."

The language was more forceful than refined, but, coupled with the earnestness of the judge, it had the desired effect. To the astonishment of all, the culprit offered no resistance, but meekly followed the judge into court, where he was unable to furnish the required bail and was committed to jail. This resolute action of the judge taught the lawless element that his court was not to be trifled with and created a respect for law among the rude, frontier population.

But politics had more attractions for Judge Yell than did a judicial career. When the State of Arkansas was admitted in 1836, he left the bench and was elected the first representative in Congress. He remained in Congress until 1839, and in 1840 was elected governor. In the spring of 1844, about six months before the expiration of his term as governor, he resigned at the solicitations of his friends to run for Congress and was elected. He did not serve out his term, for when war was declared against Mexico in May, 1846, he resigned to enlist as a private in the First Arkansas Volunteer Cavalry. Upon the organization of the regiment he was elected colonel. It is said that in the fall of 1846, a few weeks before the opening of the last session of the Twenty-ninth Congress, Colonel Yell asked General Wool for leave of absence to attend the session. The general told him that the only way he could attend the session of Congress was to resign his commission, as no leave of absence would be granted. Yell elected

to remain with his regiment and fell while leading a charge at Buena Vista, February 22, 1847. (See chapter on the War with Mexico.)

Colonel Yell was buried upon the battlefield. After the war his body was taken to Fayetteville and buried in the Evergreen Cemetery, where his Masonic brethren erected the monument previously mentioned. Two of his wives are interred in the same inclosure—Mrs. Nancy J. Yell, who died on October 3, 1835, and Mrs. Maria Yell, who died on October 14, 1838. His first wife died in Tennessee, before he came to Arkansas.

GOVERNOR YELL INAUGURATED

On Wednesday evening, November 4, 1840, a meeting was held at the city hall, to make arrangements for the inauguration of the governor on the following day. Shortly after noon on the 5th a procession was formed and escorted Governor Yell through the principal streets to the capitol. The procession was led by Capt. Albert Pike's artillery company, and the Masons and Odd Fellows, in full regalia, participated. Upon arriving at the capitol the oath of office was administered by Chief Justice Ringo, a salute of twenty-six guns was fired by the artillery company, after which the governor delivered his inaugural address. The next day he delivered his first message to a joint session of the two houses. Perhaps the most important recommendation of the new governor was that relating to education.

"As a larger portion of our rising generation," said he, "are designed for agricultural employments, I respectfully suggest such a system of education as would not only teach science and literature, but combining practical knowledge of the mode of farming, which will tend to inculcate principles of economy and industry. The student then, in quitting his school, is qualified for his profession and at once becomes an ornament and useful member of society. Permit me to call your attention to some equitable disposition of the sixteenth sections, set apart for common schools, and a portion of the seventy-two sections for a seminary liberally endowed, and such other primary schools as you in your wisdom may establish. * * * To educate your children is the surest means to preserve our constitution and laws. Teach them the principles of political science; make them acquainted with our history and governments; and it is the surest guaranty that they will defend and maintain them."

In making this suggestion for an agricultural education, Governor Yell was several years in advance of the times. The first successful agricultural school was established in Michigan in 1855, but it was not until 1862 that Congress passed what is known as the Morrill Act, making land grants to the several states for the maintenance of "Agricultural and Mechanical Colleges."

The principal acts passed by the third General Assembly were: To authorize the construction of levees along the Mississippi River; authorizing the judges of the Supreme Court to formulate and publish rules for a uniform system of practice in the circuit courts; amending the law relating to gaming and providing more severe penalties; incorporating academies at Pocahontas and Rocky Comfort; fixing the pay of grand jurors at $1.00 per day and 5 cents a mile going and returning to and from court; creating the counties of Bradley, Perry and Yell; and authorizing the governor to dispose of the seminary lands.

ELECTION OF 1842

Early in this year Edward Cross was renominated for Congress by the Democrats, William Cummins was the Whig candidate, and Lemuel D. Evans ran as an Independent. This being what is commonly called the "off year," the campaign was not so exciting as in presidential years, yet a large vote was cast. The election occurred on October 3, 1842. Cross received 9,413 votes; Cummins, 5,315; Evans, 1,686.

Eleven state senators and the sixty-five members of the house of representatives were also elected. The senate stood fourteen Democrats and seven Whigs. In the house there were forty-two Democrats, twenty Whigs and three Independents. This gave the Democrats a majority of twenty-six on joint ballot and insured the reëlection of Ambrose H. Sevier to the United States Senate, for the term beginning on March 4, 1843.

FOURTH LEGISLATURE

The fourth General Assembly met on November 7, 1842, and continued in session until February 4, 1843. Samuel Adams, of Johnson County, was chosen to preside over the senate, and Williamson S. Oldham, of Washington County, was elected speaker of the house. A large part of Governor Yell's message was devoted to the subject of the banks. He recommended a board of internal improvements, with power to employ a civil engineer to make a survey of all the principal rivers and roads of the state, estimate the cost of their improvement and report to the next General Assembly. He also recommended the establishment of a state land office, for the control and management of the public lands donated to the state.

Among the acts passed at this session were the following: To reduce the fees and salaries of officers; to prevent waste upon the school lands belonging to the state; to place the affairs of the State and Real Estate banks in liquidation; to apportion the senators and representatives for the next General Assembly; to incorporate the towns of Fort Smith and Van Buren; to incorporate the Bethesda and Lafayette academies; authorizing a geological survey of the state; a mechanics' lien law, and a number of acts of local significance. Two amendments to the constitution were proposed, and the counties of Fulton, Montgomery, Newton and Ouachita were created.

POLITICAL CAMPAIGN OF 1844

On January 4, 1843, William E. Woodruff sold the "Gazette" to Benjamin J. Borden. The new owner changed the politics of the paper and supported the principles of the Whig party. This left the Democrats without an organ in the state and during the summer the party became somewhat disorganized. On September 16, 1843, the first number of the "Arkansas Banner" was issued. The work of reorganization was now commenced and a state convention was called to meet on December 4, 1843, to nominate candidates for governor, representative in Congress and presidential electors for the elections of 1844. The convention met in Little Rock at the appointed time. Elias N. Conway

was nominated for governor; Daniel J. Chapman, for Congress; Abner E. Thornton, Elias Rector and William H. Sutton, for presidential electors.

Thirty of the forty-six counties were not represented in the convention and considerable dissatisfaction resulted among the Democrats of those counties. No attack was made upon the candidates nominated, but numerous complaints reached headquarters that a minority had no authority to make nominations for the Democracy of the entire state. Conway and Chapman had accepted the nominations of the December convention, but they agreed to submit the whole question to another convention, which was called for April 15, 1844.

Before that convention met the Whigs nominated Lorenzo Gibson for governor and David Walker for Congress. Walker was a native of Kentucky; was admitted to the bar in that state in 1829; came to Arkansas in the fall of 1830, and after a short residence at Little Rock located at Fayetteville. From 1833 to 1835 he was prosecuting attorney of his district and in 1836 was a delegate to the constitutional convention. In 1840 he represented Washington County in the state senate and later was elected one of the judges of the Supreme Court of the state. He was of Quaker ancestry, dignified, religious, and always looked upon things from the serious side. His ability was universally recognized and his nomination caused some consternation in the Democratic ranks. Who could be found to run against him with a prospect of being elected? After a consultation, the party leaders decided that Governor Yell was the strongest man. Always willing to obey the behests of his party, the governor agreed to resign, in the event he received the nomination at the April convention.

The convention met pursuant to the call, with only twenty counties represented by delegates. In this respect it was but little better than the December convention, but the counties had been given an opportunity to send delegates and the convention proceeded to name new candidates. Daniel J. Chapman, the former nominee for Congress, was nominated for governor; Archibald Yell, for Congress; Williamson S. Oldham, Chester Ashley and Mark W. Izard, for presidential electors.

Governor Yell resigned on April 29, 1844, and the campaign between him and Judge Walker was one long remembered and talked about in Arkansas. Judge Walker was not given to promiscuous intercourse with the people. He depended chiefly upon his powers as a debater to convert the voters to his views. On the other hand, Governor Yell was what is known in this day as "a mixer." He was not lacking in ability as a debater, or in a knowledge of the political issues, but he depended more upon his personal contact with the rank and file to win the election.

A joint debate was arranged and the two candidates canvassed the state together. While on their way to fill their appointment at Yellville, the county seat of Marion County, they passed through a little hamlet where the sportsmen had gathered to engage in a shooting match, with quarters of beef for prizes. Judge Walker looked upon shooting matches as a species of gambling and his conscientious scruples would not allow him to take part in such sport. Not so with Yell. In the crowd that had assembled he saw political sunshine and decided to make hay. Dismounting from his horse, he shook hands with everybody on the grounds, borrowed a rifle, paid his entry fee, made the best shot and won first prize. As he had no use for the beef, he inquired for a

widow with a family of children to support and sent her the prize with his compliments. He then bought a jug of whisky, drank to the good health of all and the success of the Democratic party, remounted his horse and rode on to his engagement. While all this was going on, Judge Walker played the part of the "innocent bystander," and it is said regarded the proceedings with some disgust.

A few weeks later the two candidates reached the southern part of the state. Learning that a camp meeting was in progress, in what is now Columbia County, Judge Walker suggested that they visit the camp ground. He no doubt figured that, although Yell might be at home in a shooting match, he would be at a disadvantage in a religious meeting. In this he reckoned without his host, for soon after their arrival upon the camp ground he discovered Yell seated in the "amen corner," singing hymns in his clear tenor voice, apparently as much at ease as anyone present. This led Judge Walker to remark to one of his Whig friends: "You can't beat such a man as that; he is all things to all men, and everybody believes in him. He is as popular with psalm-singers as with those who take their dram and shoot for beef."

In July, 1844, another change was made in the Democratic ticket. Daniel J. Chapman, the candidate for governor, who was a practicing physician of Independence County, withdrew from the race on account of ill health. The manner in which the vacancy on the ticket was filled was rather novel. Party leaders thought the time was too short to call an election for delegates to another state convention. Some thirty or forty of them, representing all sections of the state, requested the editor of the "Banner" to place the name of Thomas S. Drew, of Randolph County, at the head of the ticket in place of Chapman's. Among those who made this request were: Senators Sevier and Fulton, Samuel C. Roane, Elias N. Conway, Sanford C. Faulkner, Samuel Adams, Chester Ashley, James S. Conway and William E. Woodruff. Drew's name appeared at the head of the ticket for the first time in the "Banner" of July 17th. No objections were offered to this method of filling the vacancy.

At the election on October 7, 1844, the Democratic ticket was victorious. For governor, Drew received 8,797 votes; Gibson, 7,066, and Richard C. Byrd, who ran as an independent, 2,504. For Congress, Yell received 11,112 votes; Walker, 7,583, and Lewis B. Tully (Independent), 112. In the election of members of the General Assembly, the Whigs elected four senators and fourteen representatives, and the Democrats elected twenty-one senators and sixty representatives. The Democratic presidential electors carried the state in November by a vote of 9,546 to 5,504.

SAMUEL ADAMS, ACTING GOVERNOR

When Governor Yell resigned to accept the nomination for Congress, Samuel Adams, by virtue of his office as president of the state senate, became acting governor. He was born in Virginia in June, 1805, went with his parents to Tennessee and there grew to manhood. In 1835 he came to Arkansas and settled in Johnson County. He assumed the duties of governor on April 29, 1844, and served until the 5th of the following November, when he was succeeded by Gov. Thomas S. Drew. In January, 1845, he was elected state treasurer. He died on February 27, 1850.

CHAPTER XIII

FROM DREW TO CONWAY

SKETCH OF GOVERNOR DREW—FIFTH LEGISLATURE—ELECTION OF 1846—SPECIAL ELECTION FOR CONGRESS—SIXTH LEGISLATURE—ELECTION OF 1848—SEVENTH LEGISLATURE—ELECTION OF UNITED STATES SENATORS—RICHARD C. BYRD, ACTING GOVERNOR—ROANE'S ADMINISTRATION—GOLD EXCITEMENT OF 1849—EIGHTH LEGISLATURE—ELECTION OF CONGRESSMAN—CAMPAIGN OF 1852—CONWAY'S ADMINISTRATION—NINTH LEGISLATURE—CONGRESSIONAL DISTRICTS—SENATOR BORLAND RESIGNS—ELECTION OF 1853—CAMPAIGN OF 1854—TENTH LEGISLATURE—CAMPAIGN OF 1856—THE KNOW-NOTHINGS—THE REPUBLICAN PARTY—CONVENTIONS OF 1856—ELEVENTH LEGISLATURE—ELECTION OF 1858—TWELFTH LEGISLATURE—CAMPAIGN OF 1860—ARKANSAS STATE ELECTION.

The state archives contain very little information concerning Thomas Stevenson Drew, the third governor of Arkansas after her admission into the Union. Some writers on the subject of state history say he was born in Vermont in 1801. Others say he was born in Wilson County, Tennessee, August 25, 1802, and that he was a son of Newton Drew, who removed from Virginia to Tennessee about 1797 or 1798. As the latter statement gives the exact date of birth, as well as the name of his father, it is believed to be correct. Thomas S. Drew came to Arkansas about the time the territory was organized and settled in Clark County. From 1823 to 1825 he was clerk of that county. He then for some time followed the occupation of peddler, thus forming acquaintances over a large district and winning the confidence of the pioneers by his square dealing and accommodating disposition.

His next occupation was as a school teacher. While thus engaged he married the daughter of a well-to-do planter. Shortly after his marriage he located in Lawrence County, where he changed his vocation to that of farmer. In 1836 he was elected one of the delegates from Lawrence County to the constitutional convention. Soon after Arkansas was admitted to statehood, he removed to Randolph County and gave his entire attention to the management of his plantation. He was not an aspirant for political honors, but when Dr. Daniel J. Chapman, the Democratic candidate for governor, withdrew from the ticket in 1844, he accepted the nomination and was elected. He was reëlected in 1848, but resigned in January, 1849, serving only about two months of his second term.

Subsequently, Governor Drew went to Texas, where he purchased a plantation. He died near Lipan, Hood County, in 1879 or 1880. His wife died and was buried in Randolph County before he left Arkansas. A movement was started to bring his body back to Randolph County and bury it by the side of his wife's grave, but it was not done. Nothing but a rough stone marks his

grave in Texas, consequently there is no epitaph giving the date of birth and death. It is said that progressive Texans point to Governor Drew's grave as an example of the indifference and inappreciation of Arkansas toward her great men.

FIFTH LEGISLATURE

The fifth General Assembly met on November 4, 1844, and organized by electing John Williamson, of Pope County, president of the senate, and John S. Roane, of Crawford County, speaker of the house. Governor Drew was inaugurated on the 5th. At 11 o'clock A. M. a procession formed at the Anthony House, where the governor was a guest, and escorted him to the capitol. The procession was led by the Little Rock Guards and a band of music, followed by the state and city officers and many citizens. The oath of office was administered by Judge Thomas J. Lacy, of the Supreme Court, after which an artillery salute was fired. The new governor then delivered his inaugural address, after which the procession again formed and escorted him back to the hotel.

The death of United States Senator Fulton on August 15, 1844, left a vacancy in the upper branch of Congress. On November 8, 1844, the two houses of the Legislature met in joint session to elect a senator. Chester Ashley received seventy-nine of the ninety-six votes cast and was declared elected.

Governor Drew's message was not delivered to the Legislature until the 20th of November. In it he reviewed the condition of the Bank of the State of Arkansas and made several recommendations with regard to closing its affairs. He announced that 479,882 acres of the 500,000 acres granted to the state by the act of September 4, 1841, for internal improvements, had been selected, and of these lands 136,000 acres had been sold at $2.00 per acre, the price fixed by law. He suggested that the price be reduced to $1.25 per acre and that a board of internal improvements be created to sell the lands and expend the proceeds in the construction of roads and the improvement of the navigable rivers of the state.

Among the general acts passed at this session were the following: To change the time of holding general elections to the first Monday in August; making an appropriation to mark the northern boundary of the state; creating the office of land agent, to be elected biennially, said agent to sell the 500,000 acres of internal improvement lands; appropriating the entire school fund available for the purchase of books for use in the common schools; making further provisions and extending the time for the liquidation of the banks; and creating the counties of Dallas and Polk. Memorials to Congress were adopted asking for appropriations to build levees along the Mississippi and Arkansas rivers; to remove the raft from Red River, and to complete the road from Memphis, via Little Rock, to Fort Smith. The General Assembly adjourned sine die on January 10, 1845.

ELECTION OF 1846

Under the new law, the election of this year was held on the 3d of August instead of the first Monday in October. The only officers to be elected were a

representative in Congress and members of the General Assembly. Robert W. Johnson, a son of Judge Benjamin Johnson, was nominated by the Democrats for Congress and was elected practically without opposition, receiving 16,425 votes to 101 reported as scattering. The state senate elected this year consisted of four Whigs and seventeen Democrats, and the house of representatives of nineteen Whigs and fifty-six Democrats.

SPECIAL ELECTION FOR CONGRESS

When Archibald Yell vacated his seat in Congress in the spring of 1846, to enlist for the War with Mexico, he did not formally resign his office, expecting the war to end before the next session was convened. General Wool's refusal to grant him a leave of absence, as stated in the preceding chapter, in order that he might attend the session of Congress, led him to tender his resignation to Governor Drew, who ordered a special election for December 14, 1846, to fill the vacancy.

Five candidates presented themselves at the special election, viz.: Whigs—Thomas W. Newton, of Pulaski County, and Charles F. M. Noland, of Independence County; Democrats—George W. Paschal, of Crawford County, Albert G. Rust, of Union County, and Herndon Haralson, of Pulaski County. A comparatively light vote was cast, owing to the election being held in the winter time. Newton received 1,745 votes; Paschal, 1,722; Rust, 1,654; Noland, 854; Haralson, 138. Mr. Newton went directly to Washington and served until March 4, 1847, when the Twenty-ninth Congress came to an end. Robert W. Johnson took his seat at the beginning of the next term the following December.

SIXTH LEGISLATURE

The sixth General Assembly began its regular session on November 2, 1846, and adjourned on the 23d of December. William K. Sebastian, of Phillips County, was president of the senate, and Albert G. Rust, of Union County, was speaker of the house. Governor Drew's message was delivered to a joint session of the two houses on the 3d. After referring to the Indian disturbances on the western border, he took up the financial condition of the state. On this subject he said:

"The financial history of the state exhibits a series of blunders. The first Legislature under the constitution provided for the levy of one-fourth of one per cent upon the sworn assessed valuation of such kinds of property as that body saw proper to subject to taxation, which, when the assessment was made, discovered to the executive the prospect of a large surplus; and induced him to issue his proclamation for a called session with a view to its reduction.

"Immediately an idea was entertained that the establishment of a State Bank, the property of the state, afforded the means, and when once put into successful operation, would serve the purpose of freeing the people from taxation altogether. The levy was consequently fixed at one-eighth of one per cent and, until the bank should have declared a sufficient dividend for that purpose, the Legislature authorized drafts to be drawn upon the surplus revenue of the General Government, then deposited with the state. * * * It appears to

have been doubted at the time whether one-eighth of one per cent would be sufficient to meet the current expenses of the state government, as this provision for drawing upon the surplus revenue, affords abundant evidence. The rapid withdrawal of this surplus revenue, in amounts from $40,000 to $60,000 annually, to supply a deficiency so great, without any regard to its reimbursement, soon deprived the bank of the use of that deposit, upon which she must have based at least one million of her circulation, which, with other very palpable causes, produced the destruction of that institution." (See chapter on Financial History.)

The governor reported the receipts from all sources for the two fiscal years ending on October 1, 1846, as aggregating $51,918.42, only $7,381.99 of which was paid in specie. "The picture here drawn," said he, "in reference to the immediate finances of the state, although dark, is nevertheless true and calls for a manly exercise of a high toned responsibility on the part of each and every member of this General Assembly."

The General Assembly assumed the responsibility by passing a new revenue law, calculated to increase the receipts. Other important acts passed at this session were: To change the mode of voting at general elections from viva voce to the ballot; to fix the time of holding courts in the several circuits; requiring justices of the peace to hold courts at least once each month; granting preëmptions to settlers upon the internal improvement lands; incorporating the Masonic Grand Lodge of Arkansas; authorizing the state land agent to dispose of the seminary lands; and creating the counties of Drew and Prairie. The penitentiary was destroyed by fire on August 5, 1846, and at this session an act was passed to rebuild the institution, provided the cost to the state did not exceed $10,000.00.

On Monday, November 9, 1846, the two houses of the Legislature met in joint session to elect a United States senator to succeed Chester Ashley, whose term was to expire on March 4, 1847. Six candidates were voted for, with the following results; Chester Ashley received fifty-seven votes; Archibald Yell, nineteen; William K. Sebastian, twelve; Charles F. M. Noland, three; Absalom Fowler and H. F. Thompson, one each. Mr. Ashley having received a majority of the votes was declared elected for a term of six years, beginning on March 4, 1847.

ELECTION OF 1848

The year 1848 was a presidential year. On May 22nd the Democratic national convention met at Baltimore, Maryland, nominated Lewis Cass, of Michigan, for President, and William O. Butler, of Kentucky, for Vice President. The Whig national convention assembled at Philadelphia on the 7th of June. Gen. Zachary Taylor, of Louisiana, the hero of Palo Alto and Resaca de la Palma, was nominated for President, and Millard Fillmore, of New York, for Vice President.

The state campaign in Arkansas was opened by the Democratic state convention on January 3d, which renominated Thomas S. Drew for governor and Robert W. Johnson for Congress. Thomas W. Newton was nominated by the Whigs for Congress, but it seems that party made no nomination for the office

of governor. The race was a sort of "free for all." When the returns were canvassed by the Legislature at the opening of the session, it was found that twenty-eight candidates had been voted for with the following result: Thomas S. Drew received 15,962 votes; Henry L. Biscoe, 163; Lorenzo Gibson, 115; Albert Pike, 104; Jacob S. Gross, 38; R. T. Redman, 33; M. W. Dorris, 24; Bartlett Zachry, 13; Jonathan Logan, 12; R. Burton, 12; Freeman E. Patrick, 10; Robert Wilson, 7; F. Smithson, 6; John L. Bentley, 5; Absalom Fowler, J. R. Hood, Asa McKinney, R. Little and H. F. Thompson, 3 each; Thomas Smith, 2; John W. Cocke, William A. Harden, William Kaufman, Thomas W. Newton, C. F. M. Noland and John Smith, 1 each.

For Congress, Johnson received 14,456 votes and Newton received 9,222. At this election, which occurred on August 7, 1848, members of the Seventh General Assembly also were elected. At the presidential election in November, Cass and Butler received 9,300 votes; Taylor and Fillmore, 7,588.

SEVENTH LEGISLATURE

The regular session of the seventh General Assembly began on November 4, 1848, and lasted until January 10, 1849. The senate was composed of five Whigs and twenty Democrats, and the house of nineteen Whigs and fifty-five Democrats. Richard C. Byrd, of Jefferson County, was elected president of the senate and E. A. Warren, of Ouachita County, speaker of the house. In his message Governor Drew said: "The new revenue law has answered fully the public expectation. It has realized all the favorable results anticipated by its most sanguine friends, in re-establishing the credit of the state."

He reported the total receipts under its operation as being $144,850.73, an increase of $92,932.31 over the preceding biennial period, and that $22,037.55 of outstanding warrants had been redeemed and canceled.

A large number of special acts were passed during the session. Of the general laws, the most important were: To provide for holding presidential elections on Tuesday after the first Monday in November, to conform to the custom in other states; to distribute the proceeds arising from the sale of the 500,000 acres of internal improvement lands; to divide the seminary fund and establish a system of common schools; to redistrict the state for judicial purposes; to facilitate the liquidation of the State Bank; to incorporate the Little Rock Association of Steamboat Pilots; and an act creating Ashley County.

ELECTION OF UNITED STATES SENATORS

Three elections for United States senator were held during the session of the seventh Legislature—one to fill the unexpired term of Ambrose H. Sevier, who had resigned early in the year to assist in securing the ratification of the Treaty of Guadalupe Hidalgo by the Mexican Government; one to fill the unexpired term of Chester Ashley, whose death occurred on April 29, 1848; and one for the full term of six years beginning on March 4, 1849.

To succeed Senator Sevier four candidates were placed in nomination. On the first ballot Sevier received thirty-six votes; Solon Borland, forty-one; Charles F. M. Noland, eighteen; and John Miller, one. Eight ballots were taken

without change; then Mr. Sevier's name was withdrawn and on the ninth ballot Borland was elected, receiving seventy-four votes to nineteen for Noland and two for Grandison D. Royston. This term ended on March 4, 1849.

Williamson S. Oldham, Samuel H. Hempstead, William K. Sebastian, Grandison D. Royston and Thomas W. Newton were nominated for the unexpired term of Senator Ashley. On the first ballot Oldham received thirty-six votes; Sebastian, twenty-one; Newton, eighteen; Hempstead, eleven; and Royston, ten. Sebastian was elected on the sixth ballot, receiving forty-nine votes; Oldham received thirty-six; Royston, ten; and Absalom Fowler, one.

On November 27th the two houses met in joint session to elect a senator for the full term of six years. The names of Ambrose H. Sevier, Solon Borland, Lorenzo Gibson and Thomas S. Drew were placed before the assembly as nominees. Before the balloting began the name of Mr. Sevier was withdrawn. Thomas S. Drew received nine votes; Gibson, fifteen; and Borland, seventy-one. Major Borland was declared elected.

RICHARD C. BYRD, ACTING GOVERNOR

Late in November, 1848, Governor Drew notified the two houses of the Legislature that he intended to resign at the close of the session, because the salary was inadequate. Some persons intimated that this was merely a scheme on the part of the governor to induce the General Assembly to raise the salary. If so, it failed to produce the desired result, and on January 10, 1849, the resignation went into effect. The next day Richard C. Byrd, president of the senate, became acting governor.

About the beginning of the Nineteenth Century several families named Byrd settled in Southeastern Missouri. Byrd's Creek received its name from these pioneers. A number of their descendants, among whom was Richard C., drifted into Arkansas about the time the territory was organized or in the years immediately following. On November 29, 1829, Richard C. Byrd was elected territorial auditor and held the office for two years. In the first State Legislature he was one of the representatives from Pulaski County and two years later represented the same county in the state senate. He then moved to Jefferson County and in 1846 was elected state senator from the district composed of the counties of Jefferson, Arkansas and Desha. At the opening of the seventh regular session of the General Assembly in 1848, he was elected president of the senate.

As soon as he was installed in office, Governor Byrd issued a proclamation calling a special election for governor, said election to be held on Wednesday, March 14, 1849. In the meantime the Democratic members of the General Assembly had held a meeting on December 1, 1848, and nominated John S. Roane for governor, in the event a special election was called. The Whig party nominated Cyrus W. Wilson, of Pulaski County. A light vote was polled at the election, Roane receiving a majority of 89 out of a total vote of 6,545.

ROANE'S ADMINISTRATION

John Selden Roane, the fourth state governor of Arkansas, was born near Lebanon, Tennessee, January 8, 1817. He attended school at Princeton, Ken-

tucky, and in 1837 came to Arkansas, locating at Pine Bluff. About five years later he removed to Van Buren. In 1844 he was elected one of the representatives from Crawford County to the General Assembly, and was chosen speaker of the house.

When President Polk called for volunteers for the Mexican war, Mr. Roane enlisted as captain of the "Van Buren Avengers" and was mustered into the United States service as lieutenant-colonel of the First Arkansas Volunteer Cavalry, of which Archibald Yell was colonel. At the battle of Buena Vista Colonel Yell was killed and the regiment was thrown into confusion. Lieutenant-Colonel Roane promptly took command, rallied the men and turned what looked like certain defeat into victory. After the war was over he returned to Pine Bluff, where he lived when elected governor in 1849. He took the oath of office as governor on April 19, 1849, and served until the opening of the legislative session in November, 1852. In the spring of 1861 he was active in raising troops and was commissioned brigadier-general in the Confederate army. As such he rendered efficient service in the organization of the Trans-Mississippi Department. He died at Pine Bluff on April 8, 1867.

On July 5, 1855, Governor Roane was united in marriage with Miss Mary K. Smith, daughter of Nathaniel G. Smith, of Dallas County. Four children—one son and three daughters—were born to this union.

GOLD EXCITEMENT OF 1849

Among the settlers in California prior to the Mexican war was John Sutter, who was born of Swiss parents in Baden, Germany, in 1803. He located in California in 1839 and the next year became a Mexican citizen. Alvarado, the revolutionist, was then in power as the governor of the province. He took a liking to Mr. Sutter and made him an official of the government. Soon afterward Mr. Sutter bought the claims of some Russian settlers on the Sacramento River, where he built a small fort. It was at this fort that Fremont's second expedition arrived on March 8, 1844. Late in the year 1847 Mr. Sutter employed James W. Marshall to build a sawmill near the fort. As the mill was to be run by water power, the excavation of a mill race was necessary. It was in this race that Mr. Marshall discovered a small nugget of gold, "about half the size and shape of a pea," on January 24, 1848.

He showed the nugget to Mr. Sutter and a few others whom he thought could be trusted, and all kept a lookout for more. Within a few days they had collected about three ounces of the metal and satisfied themselves by tests that it was really gold. They tried to keep the discovery a secret, for fear their workmen would desert and go to searching for gold, but some ex-soldiers at the fort found out what had happened and the news spread rapidly. By the spring of 1849 there was scarcely a hamlet in the United States where it was not known that gold had been found in California. At the beginning of 1850 it was estimated that the population of California had been increased by the arrival of 100,000 gold seekers.

There were four recognized ways of getting to the gold fields. 1. The water route, going by sea around Cape Horn; 2. The land and water route, via the Isthmus of Panama; 3. The Overland route, via the Oregon, California

and Salt Lake trails; and 4. The Arkansas route, over which emigrants could go in steamboats to Fort Smith, then over a good wagon road to Santa Fe. The last named had some advantages over the others. It was not so tedious as the voyage around South America; not so debilitating as the route by way of the Isthmus of Panama; the road was not beset by hostile Indians to as great an extent as the Oregon and California trails, and there were no deserts to cross. During the early part of the year 1849, the Arkansas newspapers teemed with information about the "Arkansas Route." At times the editors grew eloquent, as the following extract from the "Arkansas Democrat" of April 25, 1849 will show.

"Of all the routes to El Dorado, Arkansas presents the shortest, cheapest and most comfortable; and if its advantages are properly spread before the people of the Union, the vast tide of humanity now flowing westward will be turned into its natural channel with such force and volume that no efforts of interested schemers will ever be able to stay it until the way is fully prepared, and the time fully come, for the iron horse to be seen rearing over the hills and plunging through the valleys on this great highway to the Pacific."

Almost every week during the spring, summer and fall of 1849, the newspapers contained some reference to the tide of emigration. The "Democrat" of November 16, 1849, says: "Mr. Fairhurst, one of the proprietors of the lower ferry, has kept a memorandum of the movers crossing at that point during the last two weeks. In that time 315 wagons crossed. We have no record of the number crossing at the upper ferry, but if it is as large as at the lower, the number of emigrants passing through our city during the present month is not far from six thousand."

Several companies were organized in Arkansas to go to the gold fields. One of the earliest was a train of fifty wagons and 128 men, which left Fort Smith on April 5, 1849, under command of Lieut. B. G. Lathrop and reached Santa Fe in June. The excitement was not confined to the penniless and the adventurer. Such men as Elias Rector, Matthew Leeper and Richard C. S. Brown took an interest in the organization of companies, and some of them actually went to the mines.

On April 5, 1850, Senator Borland wrote to the "Democrat," complaining that the glowing accounts published in the newspapers were depopulating the state. He estimated that at least one thousand persons had left Arkansas during the year 1849 and that, if each took with him $200, the state was poorer by $200,000. He suggested that the Arkansas farmers diversify their crops, and especially try raising tobacco, by which means they would in the end achieve greater success than in a wild scramble for gold. Commenting on this letter, the editor said:

"The statements made by Senator Borland, in reference to the effect of the California emigration upon our state, are calculated to startle some of our citizens who have not seriously considered the subject in the aspect in which it is now presented; yet, there are the facts and figures speaking for themselves and it will be found rather difficult to deduce any other conclusions than those which have been drawn from this showing. * * * There is much truth in the remark, that if our citizens, who are now in California driving ox-teams, digging ditches, crushing rocks or washing sand in the Sacramento, had re-

mained at home and devoted themselves with the same assiduity to any one of the industrial pursuits amongst us, they would have realized as much pecuniary profit to themselves, while enjoying infinitely more personal comfort and social happiness, at the same time they were building up the state.

"Why, then, are they in California? Who so blind as not to see that it is because in California the true measure is accorded to labor, while in Arkansas it is too often slurred at as disreputable? It is idle to attempt to disguise the fact, or to gloze it over with excuses. The evil is too apparent to be denied; and unless this false sentiment be speedily eradicated and a healthier tone take its place, the state is doomed to lament the loss of many of her most active and useful citizens."

But admonition and protest were alike in vain and the emigration went on. Elias Good, who kept a toll bridge over the Bayou Meto on the Memphis and Little Rock road, kept count of the vehicles which crossed the bridge during the last four months of 1850, to wit: September, 98; October, 564; November, 629; December, 249, making a total of 1,540 vehicles in four months. Most of these were two-horse wagons, some were drawn by oxen, and a few were light one-horse wagons, containing only the emigrant (and perhaps his family), with a few provisions to supply his needs en route. A few were on their way to Texas, but by far the greater number were bound for California.

The emigration continued during the early '50s, though after 1851 the number of emigrants gradually decreased. The Van Buren "Intelligencer," in April, 1853, in an editorial referring to Captain Dillard's company that had served in the Mexican war, said: "Of the ninety-one men composing the company, not more than one-third of them are now living in Arkansas; one-third of them are dead, and the balance are in California."

According to the reports of the United States mint, $450,000,000 in gold had been taken from the California placer mines by 1856. A few acquired wealth, but the great majority of the gold seekers failed to make more than a living, owing to the extremely high prices that prevailed during the rush days. Flour sold as high as $75 per barrel, bacon from 50c to $1.00 per pound, and other things in proportion. Under such conditions, many returned to their old homes poorer but wiser men.

EIGHTH LEGISLATURE

At the election in August, 1850, the only officers to be elected were members of the General Assembly and county officers, hence the campaign was not so exciting as those of previous years. The members of the Legislature elected at this time constituted the eighth General Assembly, which met in regular session on the 4th of November. The senate consisted of four Whigs and twenty-one Democrats, and the house of twenty-three Whigs and fifty-one Democrats. John R. Hampton, of Union County, was elected president of the senate, and T. B. Flournoy, of Desha County, speaker of the house. In his message, Governor Roane said:

"By examining into the laws providing for the collection, safe keeping and disbursement of the public funds, they will be found greatly defective. * * * It is not infrequently the case that assessors fail to 'make out and return' their

assessment lists within the time prescribed by law, which always produces great confusion in the auditor's office, great fiscal derangement and often pecuniary loss to the state."

He recommended an amendment that would correct the defects, by insuring a more prompt return of assessors' reports and a better collection of taxes due the state. The census of 1850 showed that Arkansas had a population of 209,897, but the figures had not been published at the time the Legislature assembled. In anticipation of a marked increase in the number of inhabitants, the governor said:

"The last Legislature repealed the law prescribing the time of holding the election for members of Congress. The census is now being taken, preparatory to a new apportionment. From the best information I can obtain, this state will be entitled to two members in the House of Representatives. You will provide for such a contingency and so district the state that each division may be as nearly equal in population as circumstances will permit."

The Legislature, however, did not see fit to act upon the governor's recommendation to divide the state into two congressional districts. Several educational institutions were incorporated by this Legislature, viz.: The El Dorado Female Academy, the Tulip Female College, the Arkansas Military Institute and the Cane Hill Collegiate Institute. The common school and revenue laws were amended; Calhoun and Sebastian counties were created; the state was reapportioned for state senators and representatives; the Independent Order of Odd Fellows was incorporated; an act was passed to prevent speculation in donation lands, and another act provided for the erection of a monument to Archibald Yell and other Arkansas soldiers who fell in the Mexican war. This act authorized the clerk and sheriff in each county of the state to solicit and receive donations to the monument fund, pay all moneys to and deposit the lists of subscribers with the state treasurer, and the governor was directed to appoint three persons to select a site on the capitol grounds and supervise the building of the monument.

ELECTION OF CONGRESSMAN

The Thirty-first Congress came to an end on March 4, 1851. In most of the states members of the Thirty-second Congress were elected in 1850, but the repeal of the law in Arkansas, which was referred to by Governor Roane in his message, left Arkansas without a representative until the election on August 4, 1851. Robert W. Johnson was renominated by the Democrats in a state convention held on the 28th of April. The Whigs nominated Capt. William C. Preston, who had commanded Company H of Colonel Yell's regiment in the Mexican war. At the election Johnson received 11,637 votes and Preston received 8,733.

CAMPAIGN OF 1852

Early in the year 1852 some of the leading newspapers of Arkansas placed at the head of their editorial columns the names of Stephen A. Douglas, of Illinois, for President, and Jefferson Davis, of Mississippi, for Vice President,

"subject to the decision of the Democratic national convention." That convention met at Baltimore, Maryland, on the 1st of June. Franklin Pierce, of New Hampshire, was nominated for President on the forty-ninth ballot, and William R. King was nominated for Vice President on the second ballot. The highest number of votes received by Douglas was ninety-one, on the twenty-ninth ballot, and Jefferson Davis received only two votes on the first ballot for Vice President.

On June 16th the Whig national convention met at Baltimore. Millard Fillmore was the favorite with the southern delegates and Gen. Winfield Scott was the popular candidate of the northern delegates. Scott was nominated on the fifty-third ballot and William A. Graham, of New York, was nominated for Vice President on the second ballot.

A Free Soil convention assembled at Pittsburgh on the 11th of August and nominated John P. Hale, of New Hampshire, and George W. Julian, of Indiana, for President and Vice President, respectively. This ticket received no votes in Arkansas. The vote for Pierce and King was 12,173 and that for Scott and Graham, 7,404. This election marked the end of the Whig party in the United States.

On May 3, 1852, a Democratic state convention met at Little Rock and nominated Elias N. Conway for governor. About the 1st of June Bryan H. Smithson announced himself as an independent Democratic candidate, on a platform favoring "a liberal and practicable system of internal improvements, and of the repeal of the act distributing among the counties the proceeds of the 500,000 acre donation."

In an address to the people of the state soon after he was nominated, Mr. Conway referred to the agitation for the building of railroads, particularly one from Batesville to Fayetteville, to pass through the counties of Izard, Madison and Carroll, and then said: "But as railroads are expensive, perhaps the people in all these and some other sections of our state would, for the present, be contented with establishing good dirt roads, plank roads or macadamized roads."

This utterance was seized upon with avidity by the friends of Mr. Smithson. Conway was dubbed the "dirt roads candidate," while Smithson was heralded far and wide as the friend of internal improvements. The Whig party made no nomination for governor, but indorsed Smithson, hoping by this means to defeat the regular Democratic candidate. The election was held on August 2, 1852, when Conway received 15,442 votes and Smithson, 12,414.

CONWAY'S ADMINISTRATION

Elias Nelson Conway, fifth state governor of Arkansas, was born in Greene County, Tennessee, May 17, 1812, the youngest son of Thomas and Ann (Rector) Conway. His parents were members of the Methodist Church and brought up their children "in the fear and admonition of the Lord." They may have been a little strict at times, but their training had a good effect in later years. Elias was a moral, studious lad, but never prepared himself for any particular profession. When he was about six years of age his parents removed to St. Louis and later to Saline County, Missouri. After attending Alonzo Pearson's school,

in Howard County, and the Bonne Femme Academy, in Boone County, young Conway concluded to seek his fortune in Arkansas. In 1834 he was United States deputy surveyor in Benton and Washington counties. He was elected territorial auditor by the General Assembly on October 12, 1835, and held the office until the state was admitted the following year. He was then elected auditor of state and held that office unil January 3, 1849, with the exception of a few weeks in 1841.

On November 15, 1852, Mr. Conway was inaugurated governor. He was reëlected in 1856 and was the only governor in the history of Arkansas to hold the office for eight consecutive years. One of his contemporaries said of him shortly after his death: "Governor Conway was characterized by uprightness, honesty, faithfulness and accuracy in business. His was the most economical administration that ever was or ever will be in Arkansas. He was very careful of every dollar expended. When the war came up, at the close of his eight years' administration, the treasury was full of money. He left more impression upon the state than did any of his predecessors. For eight years he was the government. The Legislature followed his advice in all financial matters. Of the later governors, only Garland has surpassed him in control over the Legislature."

With the outbreak of the Civil war in 1861, Governor Conway retired from all active participation in public affairs and became practically a recluse. His little cottage, on Third Street near Scott, in the city of Little Rock, was always open to his friends, though he rarely repaid visits or appeared in public. One of the occasions when he broke his life of seclusion was to attend the funeral of his old friend and former private secretary, Richard H. Johnson. There he appeared in the old-fashioned, high-buttoned waistcoat and long, black frock coat, with clean shaven face and dignified demeanor—a veritable ghost of bygone days.

Governor Conway stood almost six feet high and had a dark complexion. He was not a stump speaker, but was a politician of the olden time—one of those who believed that a man was unfit for high office unless he was well enough known to be elected without going about begging for votes. It is said that he never took a drink of intoxicating liquor, never won or lost a dollar on a game of cards, a horse race, or any other form of gambling, and that he never took a man into a saloon to treat him to a drink. Yet he commanded the respect of gamblers and saloon keepers, many of whom voted for him because they had confidence in his ability and integrity. On the other hand, he never joined any church, never was a member of a temperance society, but among his friends and supporters were hundreds of the most active church workers in Arkansas. He enjoyed the society of the ladies, for whom he had a great admiration though he never married. His death occurred on February 28, 1892. A life-size bust of Governor Conway occupies a prominent place in the Museum of the Arkansas History Commission.

NINTH LEGISLATURE

The ninth regular session of the General Assembly began on November 1, 1852, and lasted until January 12, 1853. Politically, the senate stood six Whigs

to nineteen Democrats, and the house twenty-two Whigs to fifty-three Democrats. At the opening of the session Thomas B. Hanley, of Phillips County, was elected president of the senate, and Benjamin P. Jett, of Hempstead, speaker of the house. In a somewhat lengthy message Governor Roane reviewed his administration and made several recommendations.

About noon on the 15th, pursuant to previous arrangements, a procession was formed at the capitol, including the state officers, members of the General Assembly and many citizens. Headed by a band of music, the procession moved to the executive mansion, where it was joined by Governor Roane. It then proceeded to Governor Conway's residence and conducted him to the capitol for his inauguration. Governor Roane delivered his farewell address, after which Chief Justice Watkins administered the oath of office to Governor Conway. The new executive's inaugural address was short and to the point. Then, after a patriotic air by the band, the audience dispersed and the new governor plunged into his executive duties without further ceremony. On the 27th his first message was delivered to the two houses in joint session. It was devoted chiefly to the public lands and the banking situation and contained a number of valuable suggestions, most of which were acted upon by the Legislature.

CONGRESSIONAL DISTRICTS

The United States census of 1850 showed the population of Arkansas to be 209,897, which entitled the state to two representatives in Congress. An act was therefore passed by the ninth Legislature dividing the state into two congressional districts, to wit:

First District—The counties of Benton, Carroll, Conway, Crawford, Crittenden, Franklin, Fulton, Greene, Independence, Izard, Jackson, Johnson, Lawrence, Madison, Marion, Mississippi, Monroe, Newton, Phillips, Poinsett, Pope, Randolph, St. Francis, Searcy, Van Buren, Washington and White.

Second District—The counties of Arkansas, Ashley, Bradley, Calhoun, Chicot, Clark, Dallas, Desha, Drew, Hempstead, Hot Spring, Jefferson, Lafayette, Montgomery, Ouachita, Perry, Pike, Polk, Prairie, Pulaski, Saline, Scott, Sebastian, Sevier, Union and Yell.

During this session five railroad companies received charters, viz.: The Arkansas Western, the Arkansas Central, the Cairo & Fulton, the Napoleon & Little Rock, and the Mississippi Valley. The Memphis & Little Rock Plank Road Company was also given the privilege of building a railroad, if the directors found it expedient. Other important acts of the session were: to amend the revenue law; to exempt homesteads from execution; to regulate the practice of probate courts; to incorporate the Mine Creek Male and Female College, the Cane Hill Female Seminary, the Oil Trough Academy, the Arkansas College, the Boston Male and Female College, the Makemie College and the Lacy Female Academy. Columbia County was created, and on November 10, 1852, William K. Sebastian was elected United States senator for the full term beginning on March 4, 1853.

SENATOR BORLAND RESIGNS

About the 1st of April, 1853, President Franklin Pierce appointed Senator Solon Borland governor of New Mexico Territory. The appointment was not

to the senator's liking and he declined the position. Some three weeks later the President offered him an appointment as minister to the Central American Republics. Senator Borland then resigned and on July 6, 1853, Governor Conway appointed Robert W. Johnson to fill the vacancy until the meeting of the General Assembly.

Solon Borland was a native of Nansemond County, Virginia. His father was an English physician and his mother was a Miss Godwin, of Nansemond County. He received a liberal education and studied medicine with his father, but in the fall of 1843 he came to Arkansas to assume the editorial management of the "Arkansas Banner." In that position he won the reputation of being one of the ablest political writers in the United States. He favored the annexation of Texas, even though it provoked a war with Mexico, and his editorials on the subject were widely quoted. When war was declared, he followed his precepts by enlisting as a private in Company B, Arkansas Mounted Volunteers, but was unanimously elected captain of the company.

Further military honors awaited him, for when the regiment was organized he was elected and commissioned major. He took part in all the engagements of his regiment, until General Worth learned of his knowledge of medicine and appointed him assistant surgeon. Upon his return home at the close of the war, he was elected United States senator to fill the vacancy caused by the resignation of Ambrose H. Sevier, and at the same session he was elected for the full term of six years, beginning on March 4, 1849. As senator he was always alert to the interests of his state and procured the passage of numerous acts for the benefit of Arkansas.

When the Civil war began in the spring of 1861, he rendered efficient service in raising, drilling and equipping the state troops. (See chapter on the Civil War.)

ELECTION OF 1853

This was the first election for two representatives in Congress. The First District Democrats held a convention at Yellville on May 4, 1853, and nominated Alfred B. Greenwood, who was elected without opposition. Judge Greenwood was a native of Georgia; came to Arkansas in 1838; served two terms in the Legislature from Benton County; was then prosecuting attorney and in 1852 was elected judge of the Circuit Court. This position he resigned when he was nominated for Congress the following year.

In the Second District the campaign was more exciting. A Democratic convention at Hot Springs on the 2nd of May nominated Edward A. Warren, a Ouachita County newspaper man, who was speaker of the house in the seventh General Assembly. The Whigs nominated Frederick W. Trapnall, of Pulaski County, and the two candidates entered upon a joint canvass of the district. Mr. Trapnall fell ill and died on the 4th of July, and James M. Curran was nominated to fill the vacancy on the ticket. At the election on August 1, 1853, Warren received 6,029 votes and Curran received 4,198.

CAMPAIGN OF 1854

In this year Arkansas fell into line with most of the other states by electing two representatives to the Thirty-fourth Congress. The other officers elected

were members of the General Assembly and county officers. By the act of January 10, 1853, the Legislature made provision for submitting to the voters the question of calling a convention to revise and modify the state constitution. This question was also to be voted on at the election on August 7, 1854.

On May 1, 1854, nominating conventions were held by the Democrats in each of the congressional districts. The convention in the First District was held at Batesville and Alfred B. Greenwood was renominated. That of the Second District met at Princeton, Dallas County, and nominated Albert Rust, who had represented Union County in the Legislature of 1846, and was elected speaker of the house. The election of 1852 had practically ended the career of the Whig party in the South, especially in Arkansas. In the First District no regular Whig candidate was nominated in opposition to Judge Greenwood, but in the Second District E. G. Walker was nominated. In both districts the names of several candidates were "written in" by voters of an independent turn of mind.

The returns from the First District gave Greenwood 15,374 votes; William C. Myrtle, 316; Samuel E. Kenner, 25; Thomas B. Hanley, 43; W. C. Bevens, 34; E. R. Milligan, 8, and R. A. Sharp, 2. In the Second District Rust received 9,378 votes; Walker, 4,842; Edward A. Warren, 12, and J. S. Bradshaw, 3. The proposition to hold a convention to revise the constitution was defeated by a vote of 15,897 to 10,997. Owing to the disorganized condition of the Whig party, no nominations were made in some of the counties for the General Assembly, while in others candidates ran independently. The result was that the Democrats controlled both branches of the Legislature by substantial majorities. Most of the county officers elected throughout the state were also Democrats.

TENTH LEGISLATURE

On November 6, 1854, the tenth General Assembly began its session. B. C. Harley, representing the district composed of Bradley and Dallas counties, was elected president of the senate, and Samuel Mitchell, of Arkansas County, was chosen speaker of the house. Governor Conway's message was delivered to a joint session on the 7th. Most of it was devoted to the subject of finances and public lands. On the latter subject he said:

"Under the provision of the act of Congress, approved September 28, 1850, it appears that the surveyor-general has recommended for confirmation to this state 8,464,943.15 acres as swamp and overflow lands. * * * It is recommended that provision be made by law for all persons holding certificates for swamp and overflowed lands, to present them for examination and adjustment to the state land agents, so that errors may be corrected, the proper amount paid on each tract, and the lands properly registered."

He also gave some attention to the subject of education. "We have a common school law," said he, "intended as a system of establishing common schools in all parts of the state; but for want of adequate means there are very few in operation under this law. In view of the great importance of the subject, and to enable the people in counties in which there are no public schools to establish such and have them, as far as the means will allow, free for the children of all, I recommend for your consideration the propriety of authoriz-

ing, by law, the county court of any county in the state, which may choose to do so, to appropriate annually the poll-tax for the benefit of education in the way indicated."

On November 10, 1854, the two houses met in joint session for the purpose of electing a United States senator. Robert W. Johnson, who had been appointed by the governor to fill the vacancy caused by the resignation of Solon Borland, was elected for the remainder of that term, and also for the full term of six years, beginning on March 4, 1855.

At this session a number of towns and academies were incorporated; certain lands were granted to the Cairo & Fulton Railroad Company for the construction of the main line and branches; the Little Rock & Fort Smith and the Mississippi, Ouachita and Red River Railroad Companies were incorporated; the election and common school laws were amended; an act fixing the compensation of jurors was passed, and the erection of a work-shop at the penitentiary was authorized. The session adjourned on January 22, 1855.

CAMPAIGN OF 1856

Concerning the national campaign of 1856, Edward Stanwood, in his "History of the Presidency," says: "The election of 1852 gave a death-blow to the Whig party. That organization had outlived its usefulness. It was unable to cope with the one vital issue of the day—that of slavery in the territories. The Democratic party was controlled by its Southern contingent; the Whig by its Northern members. Both parties declared that the question was decided by the compromises of 1850, and was eliminated from politics.

"Events in Kansas and elsewhere led ultimately to a division of the Democratic party. Senator Douglas held that the people of a territory had the power to exclude slavery. This was his doctrine of 'popular sovereignty,' or 'squatter sovereignty,' as his opponents called it. In one form or the other the principle was adopted by the Democratic party, although it was rejected by a great body of its Northern members. The Northern Whig party was overwhelmingly against the extension of slavery, but it could not so declare itself without self-destruction. To do so would at once drive out of the party almost all its Southern supporters. * * * The only course left open for the Whig party was to delude itself and to attempt to delude the country by asserting that the slavery issue was decided."

THE KNOW-NOTHINGS

"America for Americans" had been a slogan in certain parts of the North for more than a decade prior to 1852. Shortly after the election of that year this sentiment was crystallized in the Order of United Americans. This organization was not originally intended as a political party. The members were pledged to oppose the Roman Catholic Church, and to vote only for such candidates as believed in the principle that "Americans must rule America." In time the order came to be popularly known as the "Know-Nothings," because the members professed the most profound ignorance of such an association when questioned.

A large number of Whigs, both North and South, joined the order, hoping to divert attention from the slavery question to the issue of Native Americanism. At the elections in 1854 the Know-Nothings elected seventy-one members of the Thirty-fourth Congress. Twenty-two of these Congressmen were from the Southern states, to wit: Two from Alabama, two from Georgia, six from Kentucky, three from North Carolina, six from Tennessee, one from Louisiana, one from Mississippi and one from Virginia. Then the order began to wane. Many who believed in the dogma that Americans should rule America withdrew from the membership, thinking the principle could be better upheld by an open fight than by a secret oath-bound organization.

THE REPUBLICAN PARTY

Early in the year 1854 a mass meeting at Ripon, Wisconsin, composed of men opposed to the extension of slavery, decided that the time had come to organize a new political party and suggested the name "Republican." This meeting was followed a few weeks later by a mass state convention at Jackson, Michigan, at which the name was formally adopted and invitations sent to other states to join in the formation of a national party. During the summer state conventions were held in a number of states and the Republican party came into being.

NATIONAL CONVENTIONS OF 1856

Two national conventions met on Washington's birthday, February 22, 1856. The Republicans met at Pittsburgh and nominated John C. Fremont, of Missouri, for President, and William L. Dayton, of New Jersey, for Vice President. The American convention was held in Philadelphia. Millard Fillmore, of New York, was named for President, and Andrew J. Donelson, of Tennessee, for Vice President.

The Democratic national convention met in Cincinnati on the 2nd of June. On the seventeenth ballot James Buchanan, of Pennsylvania, was nominated for President, and John C. Breckinridge, of Kentucky for Vice President. On September 17, 1856, the Whig party gave its expiring gasp in a national convention at Baltimore, Maryland, when Fillmore and Donelson were indorsed by resolution, no other candidates being presented to the convention.

During the fall of 1855 and the following winter, Democratic meetings were held at various points in Arkansas, preparatory to the coming campaign. These meetings denounced Know-Nothingism and most of them indorsed Gov. Elias N. Conway for reëlection. The Democratic state convention was held at Little Rock on May 5, 1856, and Governor Conway was renominated by acclamation. The platform indorsed the administrations of President Pierce and Governor Conway and on the subject of Know-Nothingism said:

"Resolved, That the open discussion of public affairs is the foundation of tll true republican government and the safeguard of freedom; that the American or Know-Knothing party, by its secret meetings, its ceremonials, its oaths and mummeries, has tended to demoralize public sentiment; while by embracing, as it now does, a great sectional issue, and adopting, as it has done

in its very inception, religious intolerance and political and civil incapacity because of the accident of birth, as primary principles of political action, violates the spirit of both the state and Federal constitutions and aims a deadly blow at the highest and most sacred rights of man."

The American, or Whig, state convention was held at Little Rock, on the same day as the Democratic convention, and James Yell, of Jefferson County, was nominated for governor. Still another convention assembled on that day—the Democratic convention in the First Congressional District, which met at Batesville. At the opening of the convention a rule was adopted requiring two-thirds of the vote to nominate. As a result the convention was in session all week, no nomination being reached until the 277th ballot. The candidates before the convention were Alfred B. Greenwood, who was standing for a re-election, and Thomas C. Hindman, of Phillips County. For 276 ballots the vote stood 19 for Greenwood and 17 for Hindman, but neither could get the necessary two-thirds. Then Colonel Hindman withdrew and requested his friends to vote for Judge Greenwood, who was nominated on the next ballot.

In the Second District the Democratic convention was held at Hot Springs on the 19th of May. Edward A. Warren defeated Albert Rust and received the nomination. The American candidates for Congress were: Hugh F. Thomason, of Crawford County, in the First District, and Absalom Fowler, of Pulaski, in the Second District.

The election was held on August 4, 1856. For governor, Conway received 28,159 votes, and Yell received 15,436. In the First District Judge Greenwood was returned to Congress, receiving 15,399 votes to 6,161 for Thomason, and in the Second District Warren defeated Fowler by a vote of 11,835 to 8,701. At the presidential election in November, Buchanan and Breckinridge received 21,910 votes, Fillmore and Donelson, 10,787.

ELEVENTH LEGISLATURE

The eleventh General Assembly met on November 3, 1856, and continued in session until January 15, 1857. John R. Hampton, of Bradley County, was elected president of the senate, and Samuel Mitchell, of Arkansas County, speaker of the house. Governor Conway's message was delivered to a joint session on the 4th. Public lands and banks constituted the main subjects of discussion. On the general financial condition of the state he said:

"By the reports of the auditor and treasurer, you will see that there remained in the state treasury on the 1st day of October, 1856, subject to be used for the ordinary expenses of the state, the sum of $142,154.22, in gold and silver; and that all the Arkansas treasury warrants ever issued had been redeemed, except $198, not presented for payment. * * * During the two years ending with the 30th of September, 1856, there were canceled and filed with the state treasurer bonds of this state which had been issued to and sold by the 'Bank of the State of Arkansas,' amounting, with interest, to $333,146.28, and 370 bonds, with many coupons for interest on such bonds, which had been issued to the 'Real Estate Bank of the State of Arkansas,' making for the bonds and interest $755,507.10; showing that $1,088,653.38 of the state debt, on account of the two banks, were canceled and filed (as fully paid off) during the two years ending with the 30th of September, 1856."

Many of the acts passed at this session were of a local or special nature, such as incorporating towns, academies, industrial companies, etc. Among the acts of a general nature the most important were: To reduce the rate of taxation; relating to the building and repair of levees; prohibiting the sale of intoxicating liquors to Indians; authorizing the governor to make title by patent to purchasers of school and swamp lands; providing for a geological survey of the state; authorizing the governor to sell the executive mansion at Little Rock; and granting a charter to the Memphis & St. Louis Railroad Company.

ELECTION OF 1858

The election of 1858 was for a representative in Congress from each district, members of the General Assembly and county officers. The opposing candidates for Congress in the First District were Thomas C. Hindman, Democrat, and Dr. G. W. Crosby, Whig (or Know-Nothing as he was derisively termed). In the Second District Albert Rust was renominated by the Democrats and James A. Jones by the American party. Ex-Gov. Thomas S. Drew ran as an independent candidate. Hindman defeated Crosby by a vote of 18,255 to 2,853. In the Second District Rust received 16,302 votes; Jones, 3,104; Drew, 3,452. A week or two after the election the "True Democrat" said: "The Know-Nothings have elected three or four members of the General Assembly, and in each case by a scratch."

TWELFTH LEGISLATURE

The twelfth Legislature met on November 1, 1858, and organized by electing Thomas Fletcher, of Arkansas County, president of the senate, and Oliver H. Oates, of Monroe County, speaker of the house. On the 3d Governor Conway's message was delivered. It was a general review of the financial condition of the state, showing that $2,146,484.36 of the indebtedness incurred on account of the two banks chartered by the first State Legislature had been paid, and that the prospect for a further decrease of the debt in the near future was promising.

A Democratic caucus, held on November 9, 1858, nominated William K. Sebastian for reëlection to the office of United States senator and the next day he was elected without opposition.

The usual grist of local and special acts was ground out at this session. Of the general acts, those most important were: To prohibit the emancipation of slaves; to increase the salaries of the judges of the Supreme Court; to incorporate the Arkansas Institute for the Blind; to prevent people from being defrauded by bank paper; and to approve the act of the Louisiana Legislature incorporating the Louisiana, Arkansas & Texas Navigation Company. Craighead County was created just before the final adjournment on February 21, 1859.

CAMPAIGN OF 1860

At the beginning of the year 1860, the political situation in the United States was badly muddled. The Republican party was united and offered to the abolitionists an organization which they could consistently join to oppose the

extension of slavery into the territories. Some of the more radical abolitionists even hoped that the new party could be brought to advocate emancipation, if not in 1860 at some period not far distant. On the other hand, the Democrats were divided into two factions. Senator Stephen A. Douglas, of Illinois, had been one of the leaders for the South in the fight for the compromise measures of 1850, which repealed the Missouri Compromise, but he opposed the Lecompton constitution in Kansas and the efforts to force its adoption. This made him popular in the North, where the Democrats were divided into the "hards" and the "softs," the former standing by the Buchanan administration and the latter following Senator Douglas.

This was the condition of affairs when the Democratc national convention met at Charleston, South Carolina, April 23, 1860. Thompson B. Flournoy, of Arkansas, was made temporary chairman and immediately the question of the contested delegations from Illinois and New York came before the convention. In both these instances the national committee had issued tickets of admission to the Douglas delegates. On the next day Caleb Cushing, of Massachusetts, was chosen permanent chairman. The debate went on until the 28th, when the Douglas delegates were seated. When the majority report of the platform committee was adopted on the 30th, forty-five delegates withdrew and organized the "Cotton States' convention." Among those who withdrew were five of the Arkansas delegates—Napoleon B. Burrow, Thomas C. Hindman, F. W. Hoadley, John A. Jordan and Francis A. Terry. Mr. Flournoy remained with the regular convention.

A resolution was then adopted by those who remained that two-thirds of the full convention (202 votes) should be necessary to effect a nomination. Several ballots were then taken for a presidential candidate, but without results. On the fifty-seventh ballot Douglas received 151 votes; R. M. T. Hunter, of Virginia, 16; James Guthrie, of Kentucky, 65; Joseph Lane, of Oregon, 15; Daniel S. Dickinson, of New York, 4; and Jefferson Davis, of Mississippi, 1. On May 3, 1860, the convention voted to adjourn, to meet again in Baltimore on the 18th of June. At the adjourned convention Stephen A. Douglas was nominated for President and Benjamin Fitzpatrick, of Alabama, for Vice President. Mr. Fitzpatrick declined and the national committee nominated Herschel V. Johnson, of Georgia.

Those who withdrew from the Charleston convention adopted a platform and then adjourned to meet in Richmond, Virginia, on the 11th of June. The Richmond convention nominated John C. Breckinridge, of Kentucky, for President, and Joseph Lane, of Oregon, for Vice President.

In the meantime the Constitutional Union party met in national convention at Baltimore on the 9th of May. The Southern delegates, mostly representatives of the remnant of the American party, presented the name of Gen. Samuel Houston for President, but the old-line Whigs of the North were not favorable to such a proposition. John Bell, of Tennessee, was named for President, and Edward Everett, of Massachusetts, for Vice President. C. C. Danley, J. B. Keats and M. S. Kennard were the Arkansas delegates.

The Republican national convention assembled in Chicago on the 16th of May. On the third ballot Abraham Lincoln, of Illinois, was nominated for President, and Hannibal Hamlin, of Maine, was nominated for Vice President on

the second ballot. One clause in the platform was as follows: "We deny the authority of Congress, of a territorial Legislature, or of any individual, to give legal existence to slavery in any territory of the United States."

ARKANSAS STATE ELECTION

On April 2, 1860, a Democratic state convention met at Little Rock and nominated Richard H. Johnson, editor of the "True Democrat," for governor. On the last day of April a state convention of Whigs and Americans was held at Helena. Resolutions were adopted counseling conservatism and opposing secession and "squatter sovereignty;" presidential electors were chosen, to support the nominees of the Baltimore convention of May 9th, whoever they might be. Late in April Thomas Hubbard, judge of the Circuit Court in the sixth circuit, was nominated by the Whigs and Americans for governor, but about that time Henry M. Rector resigned his seat as judge of the Supreme Court of Arkansas to become an independent Democratic candidate for governor and Judge Hubbard was "lost in the shuffle."

A joint debate between Rector and Johnson was arranged. Thousands of people attended their meetings and everywhere the greatest interest was manifested in the issues of the campaign. The election was held on August 6, 1860. For governor, Rector received 31,948 votes; Johnson, 28,487; Hubbard 274. Two Democratic Congressmen were elected. In the First District Thomas C. Hindman defeated Jesse N. Cypert by a vote of 20,051 to 9,699. The vote of the Second District was divided among three candidates. Edward W. Gantt received 16,569; Charles B. Mitchel, 13,007; James A. Jones, 891. The Democrats also elected all the members of the General Assembly except two or three.

At the presidential election in November the Breckinridge and Lane ticket carried the state, receiving 28,732 votes. Bell and Everett received 20,094; Douglas and Johnson, 5,227, and the Republican candidates—Lincoln and Hamlin—did not receive a single vote.

CHAPTER XVI

FROM RECTOR TO MURPHY

RECTOR'S ADMINISTRATION—THIRTEENTH LEGISLATURE—MESSAGE OF THE GOVERNOR—SURRENDER OF THE ARSENAL—THE STATE CONVENTION—LIST OF DELEGATES—THE CALLED SESSION—ORDINANCE OF SECESSION—SPECIAL LEGISLATIVE SESSIONS—FOURTEENTH LEGISLATURE—THOMAS FLETCHER, ACTING GOVERNOR—FLANAGIN'S ADMINISTRATION—THE CAPITAL REMOVED—CONSTITUTION OF 1864—THE CONVENTION—MURPHY'S ADMINISTRATION—FIFTEENTH LEGISLATURE—CONFEDERATE LEGISLATURE—FLANAGIN'S LAST PROCLAMATION—LAW AND ORDER MEETING—GENERAL ORDERS NO. 3—THE MURPHY GOVERNMENT—LEGISLATIVE SESSION.

The period covering the state administrations from Rector to Murphy extends from November, 1860, to July, 1868. Many of the events that occurred during that time are narrated in the chapters on the Civil War and the Reconstruction Era, the present chapter being limited to the ordinary political affairs of the state—elections, legislative sessions, etc.

RECTOR'S ADMINISTRATION

Henry Massie Rector, sixth governor of the state, was born in Louisville, Kentucky, May 1, 1816, a son of Elias and Fannie B. (Thurston) Rector. Soon after his birth his parents removed to St. Louis, Missouri, where Elias Rector died in 1822. Subsequently his widow married Stephen Trigg and removed to Saline County, Missouri. Here Mr. Trigg engaged in the manufacture of salt. From the time he was thirteen until he was seventeen years of age, it was Henry's task to haul wood with an ox team to the salt works. During this time he had no opportunity to attend school, but his mother, who was an educated woman, taught him the rudiments of an English education.

In 1833 his Kentucky relatives sent him to Francis Goddard's school in Louisville, where he remained as a student for two years and then came to Arkansas to look after certain lands, which he, as the only surviving child, had inherited from his father. Among these lands was a large part of what is now the Hot Springs Reservation, which had been located upon a New Madrid certificate. Many years were spent in prosecuting this claim against other persons, and finally against the United States Government, but he was unsuccessful in his efforts to establish his title.

During the years 1839 and 1840 Henry M. Rector occupied the position of teller in the Bank of the State of Arkansas. In 1841 he removed to a farm in Saline County, where he began the study of law. From 1843 to 1845 he was

United States marshal for the District of Arkansas. He was then admitted to the bar and began the practice of his profession in Little Rock, but soon returned to Saline County. In 1848 he was elected state senator for the district composed of Perry and Saline counties; was surveyor-general from 1853 to 1857; was elected to the lower house of the Legislature from Pulaski County in 1854; and in 1859 was elected associate justice of the Supreme Court by the General Assembly.

As stated in the preceding chapter, Judge Rector resigned his position on the Supreme Bench in 1860 to become an independent Democratic candidate for governor. At that time what was known as the "Conway-Johnson dynasty" was believed to be all-powerful in Arkansas politics. Judge Rector was a forceful and convincing orator. By his persuasive eloquence and his appeal to the common sense of the voters, he overthrew the "dynasty" and was elected by over two thousand majority. There was then a paper called the "Independent" published at Fayetteville by William Quesenbury—popularly known as "Bill Cush"—who was a cartoonist of no mean ability. Immediately after the election he published a cartoon entitled "Tom, Dick and Harry," in which Judge Thomas Hubbard, the whig candidate, was represented as Old Mother Hubbard examining a bare cupboard; "Dick" Johnson was seated astride a whisky barrel, surrounded by a crowd of his supporters, to whom he was explaining how it all happened; while "Harry" Rector, represented as a rooster, was strutting about and making the welkin ring with his crowing.

Shinn, in his "Pioneers and Makers of Arkansas," says: "The regular Democrats, smarting under their defeat, took an undue advantage of him in the convention of 1861. That body, while providing for a new constitution which continued certain offices in force, intentionally or unintentionally omitted to make any provision whatever for the governor's office. Rector's adherents have always claimed that this was done intentionally and from the meager records which have come down to posterity, it is entirely safe to say that this contention of Rector's friends was true. At all events, it was claimed that, as the constitution did not provide for the continuance of the governor, a vacancy existed, which contention was upheld by the Supreme Court. He served as governor from November 15, 1860, to November 4, 1862."

Upon retiring from the governor's office, Mr. Rector enlisted as a private in the Confederate Reserve Corps (refusing an appointment as quartermaster) and served until the close of the war. For several years after the war he was engaged in agricultural pursuits in Garland County. He was a delegate from that county to the constitutional convention of 1874 and wielded a powerful influence in framing the new organic law of Arkansas. Governor Rector died at his home in the City of Little Rock on August 12, 1899. Three days before his death he was received into the Methodist Episcopal church, South by Rev. James Thomas.

Governor Rector was twice married. His first wife, to whom he was united in October, 1838, was Miss Jane Elizabeth, daughter of William Field, of Little Rock. She died on November 20, 1857, leaving four sons and three daughters, and in February, 1860, he married Miss Ernestine Flora Linde, daughter of Albert Linde, of Memphis, Tennessee. One daughter was born to the second marriage.

THIRTEENTH LEGISLATURE

The regular session of the thirteenth General Assembly began on November 5, 1860, and lasted until January 21, 1861. Thomas Fletcher, of Arkansas County, was president of the senate, and Bradley Bunch, of Carroll County, was speaker of the house. On the 7th Governor Conway's message was delivered to a joint session of the two houses. In it he showed that, during the eight years of his administration, the increase in the value of taxable property in the state had been $99,575,156; that levees had been constructed and paid for to the amount of $1,435,470; that the state debt had been reduced by $2,341,996, and that there remained in the treasury at the close of the fiscal year on October 31, 1860, in gold and silver, $304,106.98.

On the 15th occurred the inauguration of Governor Rector. At 9 A. M. a procession was formed in front of the Anthony House. Headed by a band of music and a military escort, the procession moved to the state house, where it was joined by the state officers and members of the General Assembly. It then proceeded to the residence of the governor elect and conducted him to the capitol, where the oath of office was administered by Judge F. W. Compton, of the Supreme Court. Governor Rector then delivered in person his message to the Legislature, in lieu of an inaugural address. It was characteristic of the man—direct and to the point. After discussing state matters he turned his attention to national affairs. "It would be scarcely prudence," said he, "but more of cowardice in me, to disguise from you and our common constituency, what my convictions and sentiments are, touching the present threatening and perilous condition of our common country. The fanaticism of the North has well nigh reached its culminating point, and the states stand tremblingly upon the verge of dissolution. * * * The issue made up by the North, and which we of the South will not be permitted to decline, is, the Union without slavery, or slavery without the Union.

"Eleven of the northern states, by solemn legislative enactments, have nullified, revoked and trampled upon the Federal Constitution. Maine, Connecticut, New York, Rhode Island, Pennsylvania, New Jersey, Wisconsin, Massachusetts, Michigan and Vermont, have prohibited their officials and citizens from aiding in the execution of the 'fugitive slave law.' By their action the Federal compact has been broken! They have revolutionized the government and have left every other state absolved from its Federal allegiance, and free, as an independent and sovereign government, to seek its own destiny.

"But the question is asked whether or not these offenses, coupled with the election of a chief executive avowedly hostile to the extension of slavery, is cause, justifying, as a matter of policy, immediate secession. To my mind, no further local justification is necessary. Still, if the Union was severed today, leaving the slave states standing as they originally stood, sovereign and independent governments, reconciliation and compromise might nevertheless be induced by moderation and a free interchange of sentiment evolved by authority through conventions assembled by the northern and southern portions of the Union, respectively. In view, then, of the bare possibility that the North may still be induced to retrace her steps and award to the southern states the rights guaranteed to them by the constitution, I cannot counsel precipitate or hasty

action, having for its object a final separation of the states and the breaking up of the Union.

"Should any one of the southern states, however, prompted by a spirit of just resentment toward the North, deem it necessary to declare her independence and assert a separate nationality, Arkansas, having like grievances and a common purpose to subserve, ought not to withhold her sympathies and active support, if coercive measures be adopted by the General Government."

On December 20th the two houses met in joint session to elect a United States senator to succeed Robert W. Johnson, whose term was to terminate on March 4, 1861. Charles B. Mitchel, of Hempstead County, George C. Watkins and Samuel H. Hempstead, of Pulaski County, were placed in nomination. Mitchel was elected on the ninth ballot, receiving 52 votes, to 26 for Hempstead and 8 for Watkins.

Of the acts passed at this session, that most far-reaching in its results was the one relating to a state convention, the principal provisions of which were as follows:

"Section 1. That the governor shall issue his proclamation, ordering an election in all the counties in this state, submitting to the people the question of 'convention' or 'no convention,' to be held on the 18th day of February, 1861, which election shall be conducted as state elections are now conducted.

"Section 2. That, at said election, the people shall also vote for a delegate or delegates to said convention, and each delegate elected shall be made a special returning officer and shall bring up the certified vote of his county on the question of convention or no convention, which vote from all the counties shall be opened by the governor, auditor, treasurer and secretary of state, or any three of them, on the 2nd day of March, 1861; and if, on counting the vote of all the counties of this state, it shall appear that a majority of all the votes cast are for a convention, then the governor shall immediately issue his proclamation, requiring the delegates elected as aforesaid to convene in the capitol on the following Monday and organize themselves into a state convention, etc.

"Section 8. That upon the organization of said convention, it shall take into consideration the condition of political affairs, and determine what course the State of Arkansas shall take in the present political crisis."

This act was approved by Governor Rector on January 15, 1861, and on the next day he issued his proclamation to the several county sheriffs ordering the election for Monday, February 18th.

SURRENDER OF THE ARSENAL

Before election day arrived an event occurred which exerted considerable influence upon public sentiment in Arkansas. A troop of sixty United States artillery was sent to the arsenal at Little Rock in November, 1860. As the time for the inauguration of President Lincoln approached, the belief became prevalent that these troops had been stationed at the arsenal to awe the people of the state into rejecting any proposition looking toward secession. Early in the year 1861 a public meeting was held at Helena, at which a resolution was adopted calling on the governor to take possession of the arsenal, and offering 500 men to aid in carrying the resolution into effect. Governor Rector declined

the offer of the volunteers and explained that it was his understanding the arms and ammunition then in the arsenal would not be removed, and that he would resist any attempt to reinforce the post by United States troops.

About the 1st of February, 1861, a rumor reached Little Rock that the seamboat "S. H. Tucker" was coming up the Arkansas River with three or four hundred troops on board, intended as reinforcements for Capt. James Totten, then in command at the arsenal. This rumor proved to be unfounded, but on the 5th some eight hundred armed men arrived in Little Rock, with the avowed purpose of taking possession of the post. The city council of Little Rock was hurriedly convened and a resolution was adopted, declaring the movement as disrespectful to the constituted state authorities, because the armed men were nothing more nor less than a mob. A meeting of citizens was then held and the governor was requested to demand the surrender of the arsenal and its supplies. To this Governor Rector assented and on February 8, 1861, Captain Totten and his men evacuated the post with the honors of war and the state took possession. Captain Otey, with a detachment of the Phillips County Guards, was placed in charge until the meeting of the state convention.

THE STATE CONVENTION

On Saturday, March 2, 1861, the state officers met and canvassed the returns of the election, and found that the proposition to hold a state convention had been carried by a majority of 11,586 votes. Governor Rector immediately issued his proclamation calling the delegates to meet on Monday following. As most of the delegates were already in Little Rock, having brought in the returns of the election, no time was lost in organizing the convention on the 4th. Following is a list of the delegates by counties:

Arkansas, James L. Totten; Ashley, Marcus L. Hawkins; Benton, A. W. Dinsmore and Haley Jackson; Bradley, Josiah Gould; Carroll, B. H. Hobbs and W. W. Watkins; Calhoun, Philip H. Echols; Clark, Harris Flanagin; Columbia, George P. Smoote and Isaiah C. Wallace; Conway, S. J. Stallings; Chicot, Isaac Hilliard; Craighead, (not represented); Crawford, Hugh F. Thomasson and Jesse Turner; Crittenden, Thomas H. Bradley; Dallas, Robert T. Fuller; Desha, Jilson P. Johnson; Drew, W. F. Slemons and J. A. Rhodes; Franklin, W. W. Mansfield; Fulton, S. W. Cochran; Greene, J. W. Bush; Hempstead, Alfred H. Carrigan and Rufus K. Garland; Hot Spring, Joseph Jester; Independence, M. S. Kennard and Urban E. Fort; Izard, Alexander Adams; Jackson, J. H. Patterson; Jefferson, William P. Grace and James Yell; Johnson, Felix I. Batson and W. W. Floyd; Lafayette, Wiley P. Cryer; Lawrence, Milton D. Baber and Samuel Robinson; Madison, Isaac Murphy and H. H. Bolinger; Marion, Thomas F. Austin; Mississippi, Felix R. Lanier; Monroe, William M. Mayo; Montgomery, Alexander M. Clingman; Newton, Isaiah Dodson; Ouachita, A. W. Hobson; Perry, L. D. Hill; Phillips, Charles W. Adams and Thomas B. Hanley; Pike, Samuel Kelley; Poinsett, H. W. Williams; Polk, Archibald Ray; Pope, William Stout; Prairie, Benjamin C. Totten; Pulaski, Augustus H. Garland and Joseph Stillwell; Randolph, James W. Crenshaw; St. Francis, J. N. Shelton and G. W. Laughinghouse; Saline, Jabez M. Smith; Scott, E. T. Walker; Searcy, John Campbell; Sebastian,

William M. Fishback and Samuel L. Griffith; Sevier, James S. Dollarhide and Benjamin S. Hawkins; Union, H. Bussey and W. V. Tatum; Van Buren, James H. Patterson; Washington, T. M. Gunter, John P. A. Parks, James H. Stirman and David Walker; White, Jesse N. Cypert; Yell, W. H. Spivey.

The convention organized by electing David Walker, of Washington County, president, and E. C. Boudinot, of Sebastian County, secretary. Albertus C. Spain, of South Carolina, and Daniel P. Hill, of Georgia, were present as commissioners from their respective states, to urge the passage of a secession ordinance and the coöperation of Arkansas with the other seceding states in the formation of a Southern Confederacy. Three ordinances to dissolve the union between the State of Arkansas and the other states were introduced—one by Mr. Floyd on the 8th, one by Mr. Thomasson on the 13th, and one by Mr. Yell on the 18th. The Union sentiment in the convention prevailed, however, and none of the ordinances was adopted.

On the 20th an ordinance was passed to provide for submitting to the voters of the state on August 5, 1861, the question of "coöperation" or "secession." Section 5 of this ordinance provided: "That if it shall appear, when the result of said election shall be made known to this convention, that a majority of all the legal votes cast in the state have been cast for 'secession,' then, in that event, such vote shall be taken to be instructions to this convention to pass an act of immediate secession, and the convention shall at once pass an ordinance, dissolving the connection existing between the State of Arkansas and the Federal Government, known as the 'United States of America;' but if a majority of all the legal votes have been cast for 'coöperation,' then this convention shall immediately take such steps as may be deemed proper to further coöperation with the border, or unseceded slave states, in efforts to secure a permanent and satisfactory adjustment of the sectional controversies disturbing the country."

On the 21st the convention adjourned to meet again on August 19, 1861. Just before the adjournment an ordinance was adopted, authorizing the president of the convention to call the delegates together "at any time between this and the 19th day of August, A. D. 1861, if in his opinion an exigency should arise. * * * And it shall be the duty of the members of this convention to reassemble in this hall at the time that may be appointed by the president under this ordinance," etc.

THE CALLED SESSION

The surrender of Fort Sumter, in Charleston Harbor, to the Confederates on April 14, 1861, and President Lincoln's proclamation of the next day calling for 75,000 volunteers, intensified the already strained relations between the North and South. About the middle of April Governor Rector was informed that 1,000 United States troops had been ordered to Fort Smith. The governor immediately put Col. Solon Borland in command of an expedition "to reduce the fort and contents to the possession and authority of the state." Colonel Borland met with no resistance and on April 19, 1861, took possession of the fort. These events prompted Mr. Walker to reassemble the convention and on April 20, 1861, he issued the following proclamation:

"Whereas, By an ordinance of the state convention, passed on the 21st day of March, A. D. 1861, it was ordained that the president of the convention be authorized and empowered to convene the convention at an earlier day than the 19th day of August, A. D. 1861, if in his opinion an exigency should arise requiring the same; and

"Whereas, From reliable information, I am satisfied that preparations are being made for a war between the citizens of the free and slave states, in which the safety, peace and prosperity of the people of Arkansas are involved, and for the preservation of which we must provide; for which purpose, in my opinion, the convention should be convened at the earliest practicable time.

"Now, therefore, I, David Walker, president of the convention, under the authority, and in accordance with the provisions of said ordinance, do declare and make known that a convention will be holden on Monday, the 6th day of May, A. D. 1861, at the City of Little Rock, when and where the delegates to said convention are notified as required by the second section of said ordinance.

"In testimony whereof, I have hereunto set my hand as such president, this 20th day of April, A. D. 1861.

"DAVID WALKER."

The convention met at the appointed time with seventy delegates present. At three o'clock that afternoon (May 6, 1861), William P. Grace, on behalf of the committee on ordinances and resolutions, reported the following and recommended its adoption:

ORDINANCE OF SECESSION

"An Ordinance to dissolve the Union now existing between the State of Arkansas and the other states united with her under the compact entitled 'The Constitution of the United States of America.'

"Whereas, In addition to well founded causes of complaint set forth by this convention, in resolutions adopted on the 11th of March, A. D. 1861, against the sectional party now in power at Washington City, headed by Abraham Lincoln, he has, in the face of resolutions passed by this convention, pledging the State of Arkansas to resist, to the last extremity, any attempt on the part of such power to coerce any state that had seceded from the old Union, proclaimed to the world that war should be waged against such states, until they should be compelled to submit to their rule, and large forces to accomplish this have, by this same power, been called out and are now being marshaled to carry out this inhuman design; and to submit longer to such rule, or remain in the old Union of the United States, would be disgraceful and ruinous to the State of Arkansas.

"Therefore, we, the people of Arkansas, in convention assembled, do hereby declare and ordain, and it is hereby declared and ordained, that the 'ordinance and acceptance of compact,' passed and approved by the General Assembly of the State of Arkansas on the 18th day of October, A. D. 1836, whereby it was by the said General Assembly ordained that, by virtue of the authority vested in said General Assembly, by the provisions of an ordinance adopted by the convention of delegates assembled at Little Rock, for the purpose of forming a constitution and system of government for said state, the propositions set

forth in 'an act supplementary to an act entitled an act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes,' were freely accepted, ratified and irrevocably confirmed articles of compact and Union between the State of Arkansas and the United States, and all other laws, and every other law and ordinance, whereby the State of Arkansas became a member of the Federal Union, be, and the same are hereby, in all respects, and for every purpose herewith consistent, repealed, abrogated and fully set aside; and the union now subsisting between the State of Arkansas and the other states, under the name of the United States of America, is hereby forever dissolved.

"And we do further hereby declare and ordain, that the State of Arkansas hereby resumes to herself all rights and powers heretofore delegated to the Government of the United States of America—that her citizens are absolved from all allegiance to the said Government of the United States, and that she is in full possession of all the rights and sovereignty which appertain to a free and independent state.

"We do further ordain and declare, that all rights acquired and vested under the Constitution of the United States of America, or of any act or acts of Congress, or treaty, or under any law of this state, not incompatible with this ordinance, shall remain in full force and effect, in no wise altered or impaired, and have the same effect as if this ordinance had not been passed."

The hall and the adjacent corridors were packed with interested spectators and a "solemn stillness" prevailed during the reading of the ordinance. As soon as Mr. Grace had finished, James Yell, one of the delegates from Jefferson County, moved that the ordinance be adopted. As the roll call proceeded the atmosphere seemed surcharged with excitement. At ten minutes past four o'clock the president announced that the ordinance had passed by a vote of sixty-five to five. Then a mighty cheer went up from the vast audience. The suspense was broken. Four of those who voted in the negative, in the interest of unanimity, changed their votes, leaving Isaac Murphy, of Madison County, as the only delegate to go on record in opposition to the ordinance.

On the 10th was passed an ordinance accepting the provisional constitution of the Confederate States of America, which was followed by the election of Augustus H. Garland, Robert W. Johnson, Hugh F. Thomasson, Albert Rust and W. W. Watkins as delegates to represent the State of Arkansas in the Confederate Congress.

The convention adopted a new constitution for the state, under which Arkansas was admitted as a member of the Confederate States of America. On June 1, 1861, the following ordinance was adopted:

"Be it ordained by the people of Arkansas in convention assembled, That the State of Arkansas be, and the same is hereby, divided into four congressional districts, as follows:

"The counties of Benton, Washington, Madison, Carroll, Newton, Crawford, Franklin, Johnson, Pope, Marion, Searcy, Van Buren and Conway shall constitute the first congressional district.

"The counties of Sebastian, Scott, Polk, Sevier, Yell, Montgomery, Pike,

Hempstead, Lafayette, Columbia, Ouachita, Clark, Perry and Hot Spring shall constitute the second congressional district.

"The counties of Pulaski, Saline, Dallas, Calhoun, Union, Jefferson, Bradley, Drew, Ashley, Chicot, Desha, Arkansas and Prairie shall constitute the third congressional district.

"The counties of Fulton, Izard, Randolph, Lawrence, Greene, Independence, White, Jackson, Craighead, Poinsett, St. Francis, Crittenden, Mississippi, Monroe and Phillips shall constitute the fourth congressional district.

"An election for a member to the Congress of the Confederate States shall be held in each of said districts, at the time named and specified by said Congress of the Confederate States of America."

On June 3, 1861 the convention adjourned, "subject to be reconvened at the call of the president, military board or governor, in accordance with the resolution passed on Saturday, the 1st day of June."

SPECIAL LEGISLATIVE SESSIONS

A special session of the Thirteenth General Assembly was convened on November 4, 1861, and remained in session until the 18th of the same month. Among the acts passed were the following: To abolish certain offices in the state government of Arkansas; to confer certain powers upon counties during the war; to provide for the payment of the war tax imposed by the Confederate Congress; to repeal the ordinance of the state convention authorizing a tax levy for military purposes; to facilitate the circulation of Arkansas war bonds and treasury warrants; and to provide relief for sick and disabled Arkansas volunteers.

Another special session met on March 17, 1862, and adjourned on the 22nd. At this brief session acts were passed to prevent the distillation of grain into spirituous liquors; to prohibit the further sale of public lands until after the close of the war, and pledging said lands for the redemption of bonds and the payment of treasury warrants; to provide for the relief of residents of the state; especially the families of volunteers; to define and punish sedition. The last named act provided that any person discouraging the enlistment of volunteers in the state service, or the service of the Confederate States, should be guilty of high misdemeanor and imprisoned for a term of not less than three nor more than five years. An act supplementary to the act providing for the payment of the war tax imposed by the Confederate Congress was also passed.

FOURTEENTH LEGISLATURE

On August 4, 1862, members of a new General Assembly were elected and met in regular session on the 3d of November. Thomas Fletcher was again chosen president of the senate and John Harrell, of Crawford County, was elected speaker of the house. On the 4th Governor Rector delivered his farewell message and tendered his resignation, to take effect immediately. Among the acts of a general nature passed during this session were the following:

To prevent giving aid to the enemy; to apportion the senators and repre-

sentatives for the fifteenth General Assembly—twenty-five senators and seventy-six representatives; to vest in the state the title to the lands granted to the Cairo & Fulton Railroad Company; to prohibit the further issue of interest bearing war bonds and treasury warrants; to encourage the manufacture of iron, salt and cotton cards; and to establish the County of Woodruff. A number of acts for the relief of disabled Arkansas soldiers and the families of volunteers were also passed.

As the City of Little Rock was likely to be beleaguered at any time by Federal forces, the governor was authorized by resolution to move the seat of government and all property belonging therto, to a place of safety, not beyond the limits of the state, whenever he deemed it advisable, and the judges of the Supreme Court were instructed to move the library and all books and papers to, and hold their sessions at, such temporary seat of government. The Legislature adjourned on the 1st day of December.

THOMAS FLETCHER, ACTING GOVERNOR

Upon the resignation of Governor Rector, Thomas Fletcher, by virtue of his office as president of the senate, became acting governor and John R. Hampton, representing the district composed of Bradley and Dallas counties, was elected president of the senate. Mr. Fletcher was a resident of Arkansas County, where for a number of years he had been prominent in political affairs. In August, 1858, he was elected to the state senate from the district composed of Arkansas, Desha and Jefferson counties. When the General Assembly met in the following November, he was elected president of the senate. He was re-elected to that office in November, 1860, and presided over the senate during the regular session and the two called sessions which followed. In 1862 he was again elected senator from the same district and when the Legislature met on November 3, 1862, he was for a third time chosen to preside over the upper house. He served but one day, however, as the resignation of Governor Rector called him to the gubernatorial chair. Mr. Fletcher served as governor for eleven days only—until the inauguration of Gov. Harris Flanagin on the 15th.

FLANAGIN'S ADMINISTRATION

Hempstead says Governor Flanagin was elected at a special election, called by Acting Governor Fletcher for November 15, 1862, when he received a majority of 10,012 out of a total vote of 26,266. Shinn, in his "School History of Arkansas" (p. 187), says: "The Legislature ordered a special election to be held at which Harris Flanagin of Arkadelphia was elected governor."

The truth of the matter is, both these statements are erroneous. The real history of the manner in which Harris Flanagin became governor is as follows: Just before the adjournment of the state convention in June, 1861, it adopted a constitution, one section of which provided that "The next general election for officers of this state, under this constitution, not otherwise herein provided for, shall be held on the first Monday in October, A. D. 1862, in the manner now prescribed by law."

Governor Rector had been elected in 1860 for a term of four years. It was the above section which shortened his term. The question was carried to the Supreme Court, which in August, 1862, decided that "it is the right, as it is the duty, of the people to elect a governor at the next October election." Immediately following the publication of this decision, the newspapers published a card, signed by a number of the leading citizens, regardless of previous political affiliations, suggesting and recommending Col. Harris Flanagin, of Clark County, then in command of the Second Arkansas Mounted Rifles. Among those who signed the above mentioned card were: Elias N. Conway, Daniel Ringo, William E. Woodruff, Charles P. Bertrand, William R. Miller, Joseph Stillwell, John C. Peay, William W. Floyd and George C. Watkins.

Such was the manner in which Colonel Flanagin was nominated. At the election on October 6, 1862, he received 18,139 votes; Henry M. Rector, 7,419; John S. H. Rainey, 708. Under the new constitution and the decision of the Supreme Court, Governor Rector's term expired on November 15, 1862, when his successor was installed in office.

Harris Flanagin, seventh governor of the State of Arkansas, was born at Roadstown, New Jersey, November 3, 1817. He received a good education in the Quaker schools of his native state and when about eighteen years old he went to Clermont, Pennsylvania, as an assistant teacher in a seminary. A few years later he went to Illinois and established a private school of his own. About this time he began the study of law and in 1838 he was admitted to the bar. Early the following year he came to Arkansas and located at Greenville, then the county seat of Clark County, where he began the practice of his profession. In 1842 he was elected one of the representatives from Clark County to the State Legislature and in 1861 he was the county's delegate to the state convention which passed the secession ordinance.

When the county seat of Clark County was removed to Arkadelphia in 1842, Mr. Flanagin became a resident of that city. It is said that his nomination for governor was not known to him until the day before the election, when he received the information while in command of his regiment at Knoxville, Tennessee. He came at once to Arkansas and was inaugurated on the 15th of November, as already stated. After the war he resumed the practice of law at Arkadelphia. In 1874 he was one of the Clark County delegates to the constitutional convention. This was his last public service. His death occurred on October 23, 1874, before the constitution he had helped to frame went into effect.

On July 3, 1851, Governor Flanagin married Miss Martha E. Nash, daughter of Phineas Nash, of Hempstead County. Two sons and a daughter—Duncan, Nash and Laura—were born to this union.

THE CAPITAL REMOVED

On September 10, 1863, the Federal forces commanded by Gen. Frederick Steele occupied Little Rock. Just before Steele's army took possession of the city, Governor Flanagin, pursuant to the resolution passed by the Legislature of 1862, ordered the state records, etc., to be removed to Washington, Hempstead County, which town for the time being became the Confederate capital.

The Supreme Court also adjourned to Washington, where its hearings were held during the latter part of 1863 and the year 1864.

This resulted practically in a division of the state between the Federal and Confederate authorities. The former occupied all the region north of the Arkansas River, and a few places adjacent to the river on the south side, while the Confederates held the remainder of the state. Little Rock became the headquarters of the Federals.

CONSTITUTION OF 1864

Not long after the occupation of Little Rock by General Steele, a movement was started north of the Arkansas for the formation of a state government that would be in harmony with the Federal administration. On October 24, 1863, about a dozen citizens of Crawford and Sebastian counties met at Fort Smith and adopted resolutions favoring the establishment of a loyal state government under a new constitution. Six days later a public meeting was held in Little Rock for a similar purpose. Dr. John Kirkwood presided and Dr. E. D. Ayers was secretary. A committee, consisting of Isaac Murphy, William M. Fishback, E. W. Crowl, E. P. Filkins and C. V. Meadors, was appointed to draft a communication to President Lincoln, assuring him of the loyalty of the people of the state, and asking the coöperation of the National Government to restore Arkansas to its original status as a member of the Union. About the same time conventions were held at Fort Smith and Van Buren and adopted resolutions calling upon the people of the several counties to elect delegates to a constitutional convention, to meet in Little Rock on the first Monday in January, 1864. The resolutions declared that "The purpose of such convention shall be to reestablish civil government and to restore normal relations with the Central Government."

The movement received a further impetus on December 8, 1863, when President Lincoln issued a proclamation granting amnesty to all who had taken part in the effort to establish a Southern Confederacy, except those who had held high official position under the Government of the United States. Those accepting the amnesty were required to take the oath of allegiance. The proclamation also offered Federal support to state governments organized in the seceded states. Brig.-Gen. Edward W. Gantt, of the Confederate army, said near the close of the year 1863; "The Union sentiment is manifesting itself on all sides and by every indication—in Union meetings, in desertions from the Confederate army, in taking the oath of allegiance unsolicited, in organizing for home defense and in enlisting in the Federal army. Old flags, which have been hidden in the crevices of the rocks and worshiped by mountain people as holy relics, are flung to the breeze and followed to the Union army with an enthusiasm that beggars description."

Acting upon the recommendations of the several conventions, twenty-four counties elected delegates to a constitutional convention. These counties and their delegates were as follows: Clark, Miles L. Langley, J. M. Stapp, C. T. Jordan and John Burton; Columbia, John H. Hiflin; Conway, I. Dunscomb; Crawford, John Austin, C. A. Harper, Josiah Harrell and L. C. White; Dallas, A. J. Eden and R. H. Stanfield; Drew, William Cox; Hot Spring, W. H. Davis

and T. Whitten; Independence, Calvin C. Bliss; Jackson, John Box; Jefferson, Thomas W. Clegg, Jr., Horace B. Allis and Peter Finnerty; Madison, George W. Seamans; Montgomery, Reuben Lamb and J. C. Priddy; Newton, John McCoy; Ouachita, Ralph Seats and R. T. Turner; Phillips, J. A. Butler, T. M. Jacks, J. B. Miles and Thomas Pearce; Pike, L. D. Cantrell and Willis Jones; Polk, James Huey and Thomas Young; Pope, William Stout; Pulaski, E. D. Ayers, E. L. Maynard, F. A. Sarasin and T. D. W. Yonley; St. Francis, A. B. Fryrear; Saline, J. M. Dement, W. Holleman, J. T. Swafford and Enoch H. Vance; Sebastian, H. L. Holleman, J. R. Smoot and R. D. Swindell; Sevier, Samuel Helms; Yell, Burke Johnson and Elias G. Cook.

THE CONVENTION

As the constitutional convention of 1864 was called by no regular authority, there was no apportionment of delegates. It seems that the people of each county elected the number of delegates to which they thought they were entitled, consequently, inequalities in representation resulted. Clark County, with a population of 9,735 in 1860, sent four delegates, while Independence, with a population of 14,307, was represented by only one delegate. Jackson, with a population of 10,493, had but one delegate, while Saline, with only 6,540, elected four.

The delegates met at Little Rock on January 4, 1864, and the convention was organized by the election of John McCoy as president and Robert J. T. White as secretary. Lieutenant-Colonel Chandler administered the oath of allegiance to the members. A committee of twelve was appointed to draft a constitution and report. On the 13th this committee reported the old constitution of 1836, with certain changes, "made necessary by the spirit of the times." The preamble declared that "The entire action of the late convention of the State of Arkansas, which assembled in the city of Little Rock on the 4th day of March, 1861, was, and is, null and void, and is not now, and never has been binding upon the people."

Provision was made for submitting the constitution to a vote of the people at an election to be held on the 14th, 15th and 16th of March, when state officers and members of the General Assembly were to be elected, to take office in the event the constitution was ratified. The convention adjourned sine die on January 23, 1864, having been in session only eighteen days. At the election the constitution was approved by a vote of 12,177 to 266.

MURPHY'S ADMINISTRATION

Out of a total of 12,443 votes cast at the election in March, 1864, Isaac Murphy, the only candidate for governor, received 12,418. Calvin C. Bliss was elected lieutenant-governor (first in the state); Robert J. T. White, secretary of state; James R. Berry, auditor; E. D. Ayers, treasurer; Charles T. Jordan, attorney-general; T. D. W. Yonley, chief justice; Charles A. Harper and Elisha Baxter, associate justices.

Isaac Murphy, the eighth man to be elected governor of Arkansas after the admission of the state, was born near Pittsburgh, Pennsylvania, October

16, 1799. His father, Hugh Murphy, was a large manufacturer of paper. Isaac received a good education and about 1829 or 1830 went to Tennessee, where he taught school for several years. In 1830 he married Miss Angelina Lockhart, and in November, 1834, removed to Arkansas, locating at Fayetteville. By 1840 he was one of the best known teachers in Northwestern Arkansas, and while engaged in teaching he began the study of law.

In 1849 he went to California, but instead of being one of the few who "struck it rich," he was one of the many who returned poorer than when he started. He located with his family at Huntsville in 1854 and resumed teaching. In 1856 he was elected state senator from the district composed of Benton and Madison counties, and in 1861 he was chosen as one of Madison County's delegates to the state convention. He was the only delegate in that convention to go on record as opposed to secession. His lone negative vote gave some dissatisfaction to the people of his county. This opposition increased until he feared his life was in danger and in April, 1862, with two Union neighbors, he left Arkansas. He then joined the Federal forces commanded by Gen. Samuel R. Curtis in Missouri, and in 1863 was on General Curtis' staff. Later he was with General Steele when that officer occupied Little Rock.

Mr. Murphy was declared the provisional governor of Arkansas by the constitutional convention of 1864 and in March was elected. He was inaugurated on April 18, 1864, and held the office for four years. While not a man of exceptional brilliancy of intellect, he was conscientious and managed the affairs of the state wisely and frugally. All the expenses of his administration were paid and he left in the treasury $270,000 in United States currency.

After the war he continued to reside at Huntsville until his death on September 8, 1882. His wife had died some years before. Governor Murphy left three daughters—Mrs. James R. Berry, Mrs. H. C. Lowe and Mrs. F. M. Thorpe. Some years after his death, his granddaughter, Mrs. Flora B. Cameron, of Waco, Texas, erected a marble stone over his grave, bearing the following epitaph: "Isaac Murphy, born October 16, 1799, died September 8, 1882. Eighth governor of Arkansas. His administration was wise and economical. His trust was in God."

FIFTEENTH LEGISLATURE

The fifteenth regular session of the General Assembly commenced on April 11, 1864, and lasted until the 2nd of June. Calvin C. Bliss, by virtue of his office as lieutenant-governor, became the presiding officer of the senate, and Horace B. Allis, of Jefferson County, was elected speaker of the house. Governor Murphy had been elected "provisional governor" by the constitutional convention, but was regularly inaugurated on April 18th, just a week after the opening of the legislative session. In his message he said:

"The state has not a dollar in her treasury. The members of the convention received no pay; the officers of the provisional government are in the same condition. The convention authorized me to borrow, for the use of the state government, $150,000. I have made no effort to effect that very desirable object. Some system of finance must speedily be adopted, one that will give confidence to the capitalist, before we can hope successfully to negotiate a loan on favorable terms. This I feel confident can be done.

Sweeping changes were made in the revenue laws. Pleasure carriages, capital invested in tanyards, distilleries and other industries, gold watches and all kinds of jewelry were heavily taxed, and a tax was levied upon all incomes over six hundred dollars. Other acts of the session were: To regulate the currency; to raise a military force for the defense of Arkansas; to suspend sales by sheriffs and constables for the collection of debts; the general appropriation act, and the election laws were amended. The act of Congress, approved by President Lincoln on August 2, 1862, donating public lands to the states for the establishment of Agricultural and Mechanical Colleges, was accepted.

Two special sessions of this Legislature were held, with the same presiding officers. The first of these was convened on November 7, 1864, and lasted until January 2, 1865. Many of the acts passed were unimportant. The revenue laws were amended; public expenditures were curtailed; and several acts were passed for the purpose of providing means for the support of the state government. The second special session met on April 3, 1865. It was called chiefly for the purpose of ratifying the thirteenth amendment to the Federal Constitution abolishing slavery. The act of ratification was approved by Governor Murphy on April 20, 1865, and the General Assembly adjourned on the 22nd.

CONFEDERATE LEGISLATURE

In the meantime two state governments were in operation in Arkansas. Governor Flanagin continued to exercise executive authority over the southern part of the state, with his seat of government at Washington. On August 9, 1864, he issued his proclamation calling the General Assembly to meet in special session on Thursday, September 22, 1864. This session is known as the "Confederate Legislature."

When the members assembled at Washington on the appointed date, it was discovered nine senatorial districts were not represented, and in the lower house twenty counties were without representation. This reduced the number of senators to sixteen and the number of representatives to forty-two. The constitution of 1861 provided that the senate should consist of not less than seventeen members and the house of not less than fifty-one, and that two-thirds of the members of each house should be necessary to constitute a quorum for the transaction of business. Some doubt therefore arose as to whether the Assembly could legally proceed. The question was referred to the Supreme Court and Justices E. H. English and Albert Pike rendered an opinion, the gist of which was as follows:

"Where no members from a county present themselves, it will be held that such county has elected to adhere to the conqueror, or the usurping but de facto government. * * * Still, the state does not surrender her sovereignty over them. * * * We are therefore of the opinion that the 'members of the house of representatives' consist of all to which the counties not within the enemy's lines are entitled under the constitution, and to all who present themselves from counties held by him; and that two-thirds of this aggregate is a quorum under the provisions of the constitution."

Supported by this decision, the Legislature organized. Thomas Fletcher, whose term as senator had not expired, was still president of the senate, and

J. F. Lowry, of Chicot County, was elected speaker of the house. Governor Flanagin's message was devoted chiefly to the war and the issues growing out of it. He paid his respects to the Murphy government as follows: "Certain persons who were disloyal to the (Confederate) government, inaugurated a pretended state government last spring in this state. Soldiers and officers of the United States army took part in it. Many loyal citizens, who were within the Federal lines, were compelled, by threats and otherwise, to take part in the elections."

The act of 1862 making appropriations for the relief of soldiers' families, provided that the relief payments might be suspended by the governor. This Governor Flanagin had done and in his message thus explained his reasons therefor: "After it became impossible to distribute the funds over much the larger portion of the state, and it had become apparent that there was not funds to last for two years, payments were suspended for any time after the 1st of December, 1863. Had this not been done, that part of the state where there was least want, and where counties could have relieved families, would have received the bounty; and where there was the most want, and where the counties could not act, the relief could not have been distributed."

The principal acts of the session were as follows: For the preservation of the archives of the state; to prohibit the governor from removing public property from the state; to provide for holding elections for members of the General Assembly and prosecuting attorneys in the overrun counties and districts; to change the time of holding the next session of the General Assembly to the first Monday in October, 1865, unless sooner called together by the governor; to establish soldiers' homes at Washington, Camden and Monticello and appropriating $5,000 for the support of each home, said appropriation to become available whenever private subscriptions or contributions amounted to $2,000 in Confederate currency; to appropriate $200,000, or so much thereof as might be necessary for indigent families of soldiers, and to supply the families of soldiers with salt; to pay interest on the treasury warrants and provide for their redemption; to appropriate $35,000 to provide cotton and wool cards and medicines for soldiers' families, and appropriating $1,000,000 for the purchase of machinery for the manufacture thereof.

PROCLAMATION

"Executive Office,

"Washington, Arkansas, May 23, 1865.

"To the People of the State of Arkansas:

"In the present state of disorder, it is necessary that the citizens should take such steps as shall protect private rights and private property from violation. For this purpose it is earnestly urged, that the people of every neighborhood shall form themselves into police guards, whose duty it shall be to protect the peace and quiet of the country. Returned soldiers, even if paroled, may properly join such organizations. Each guard should have a captain, and he and his men should live in the neighborhood they defend.

"A little energy will protect the country against outrages which may otherwise be perpetrated.

"H. FLANAGIN."

So far as the writer has been able to ascertain, this was the last official utterance of Governor Flanagin. Already it was known throughout Arkansas that the Confederate armies under Lee and Johnston had surrendered, and that the Confederacy was nearing its end. On June 15, 1865, a "Law and Order" meeting was held at the courthouse in Washington. James W. Finley presided and A. T. Deloney was elected secretary. A committee of five was appointed to draft resolutions and reported the following, which were unanimously adopted:

"Whereas, By the dissolution of its civil government and the surrender of its armies, 'The Confederate States of America' has become extinct, and its citizens absolved from all further duties of allegiance, and

"Whereas, Every friend of humanity must be equally opposed to a state of anarchy; and of hopeless civil war with all its horrors; we therefore resolve,

"1. That we return to and renew in good faith, and with the sincere intention to keep the same, our allegiance to the 'United States of America:' and that so many as may be able conscientiously to do so are advised to take the oath of amnesty lately proclaimed by President Johnson.

"2. That we can give full assurance to said Government of the United States that hostility to its authority has entirely ceased in our county, and there exists no lawlessness amongst us, which does not arise from a mere love of plunder, and which every good citizen is desirous of having suppressed in the speediest legal and constitutional manner, or otherwise if necessary.

"3. That we tender to the proper authorities, civil and military, of the United States our hearty coöperation for this purpose, and will receive them in amity and good will.

"And whereas, His excellency, Isaac Murphy, has recommended to the citizens of each county to make nominations of civil officers to be appointed in their respective counties, and whereas, the present county officers were elected by and have the confidence of the people, and we believe are willing to take and faithfully observe the oath of allegiance to the Constitution, laws and proclamations of the United States, included in the amnesty oath: Resolved further,

"That we recommend the appointment of our present county officers to their respective offices, so far as the governor may not be precluded by previous action in the matter—they taking the necessary oath and making the proper bonds."

GENERAL ORDERS NO. 3

On the day following the law and order meeting above described, Brig.-Gen. George F. McGinnis, of the Federal army, issued his "General Orders No. 3," dated at the "Post of Washington, Arkansas." In these orders he said:

"For the information of the citizens of Hempstead and adjoining counties, the brigadier-general commanding is desirous of impressing upon the minds of all, the fact that the war is over and that we come among them not as enemies, but as friends, with a sincere wish and determination to protect them to our utmost ability and to render them every assistance that may be required in reëstablishing law and order, and civil government. To this end, in future, no interference with the rights and privileges of good and law abiding citizens, no foraging or lawless appropriation of private property will be permitted.

"According to the terms of surrender of the Trans-Mississippi Army, agreed upon between Generals Canby and E. Kirby Smith, all Confederate property, of whatsoever kind, was turned over to the United States authorities. All persons having such property in their possession, or who have any knowledge of its whereabouts, are hereby directed and expected to report it immediately to these headquarters."

THE MURPHY GOVERNMENT

The "Washington Telegraph," which had been the organ of the Flanagin administration, in its issue of July 5, 1865, published the leading features of the constitution of 1864 and commented upon it editorially as follows:

"The present government, organized during the war, of which Isaac Murphy is the chief executive, has one merit not often found in governments established under such auspices and in such turbulent times. Its constitution is wholly free from all the passions and prejudices which are apt to possess the hearts of those who shape the policy of government. * * * The haste with which they acted, and a sensible distrust of their own ability, resulted in the highest wisdom. The easiest thing done was exactly the very best that could be. They took the old constitution, cut out the slavery clauses, and made some amendments which had been shown to be necessary.

"Laying aside the slavery question, we like this constitution better than the old one. It is amended and improved, retaining all that was good. It is indeed the work of grave deliberation in time of peace—not the hasty abortion of a time of war. We have lived and worked under its provisions for nearly thirty years and they are familiar. We can pass easily and with little shock, with its aid, back into the Federal Government and take our old position.

"True, this state government has not yet been recognized. If, however, the present government should not be adopted and a convention be necessary, as in North Carolina, we do not believe such convention could do a wiser thing than to adopt the constitution as it is. For our own part, we have no hesitation in supporting Governor Murphy and placing the government on such footing as to cause it to be recognized as it is, trusting to future legislation to cure all errors which have already occurred in its progress."

John R. Eakin, one of the best known men in Arkansas and a leader of thought, was then editor of the "Telegraph." The sentiment expressed by him showed the trend of public opinion. Naturally there were some who felt differently, but the conservative element, which was largely in the majority accepted Mr. Eakin's practical suggestions and the Murphy government, as it was commonly called, was recognized in all sections of the state. That this is true is seen in the membership of the next General Assembly, in which every county was represented.

LEGISLATIVE SESSIONS

Two sessions of the Legislature were held after the war and before the close of Governor Murphy's administration. The sixteenth Legislature met on November 5, 1866, and organized by the election of Andrew Hunter, of Bradley

County, as president of the senate, and Bradley Bunch, of Carroll, speaker of the house. The acts of this session were of a character to restore good feeling and promote the general interests of the state. A number of educational institutions were incorporated; provisions were made for the establishment of a system of common schools; cotton and woolen factories were exempted from taxation for five years; certain lands belonging to the Real Estate Bank were exempted from taxation; the Little Rock & Fort Towson, the Iron Mountain & Helena, the Pine Bluff, Princeton & Arkadelphia, and the Arkansas, Louisiana & Texas railroad companies were incorporated, and a bill loaning the credit of the state to aid in the construction of railroads was passed over the governor's veto. The state was also divided into districts for state senators and representatives.

On April 2, 1868, the seventeenth Legislature began its session. J. M. Johnson, who had succeeded Calvin C. Bliss as lieutenant-governor, presided over the senate, and John G. Price, one of the representatives from the district composed of Pulaski and White counties, was elected speaker of the house. Among the acts passed by this General Assembly were the following: To remove the Institute for the Blind to Little Rock; to authorize counties to subscribe stock in railroad companies; to establish an Industrial University; to create a bureau of immigration to encourage the settlement and development of the state; to provide for houses of correction in the several counties, and to create the office of superintendent of public instruction. Sharp County was created at this session, and an act was passed providing for a registration of voters.

On July 2, 1868, about three weeks before the adjournment of the session, Governor Murphy was succeeded by Powell Clayton. (See the chapter on Reconstruction in Arkansas.)

CHAPTER XV

FROM CLAYTON TO GARLAND

CLAYTON'S ADMINISTRATION—CAMPAIGN OF 1868— SEVENTEENTH LEGISLATURE—EIGHTEENTH LEGISLATURE—OZRA A. HADLEY, ACTING GOVERNOR—CAMPAIGN OF 1872—STATE CONVENTIONS—BAXTER'S ADMINISTRATION—NINETEENTH LEGISLATURE—THE BROOKS-BAXTER WAR—THE STEAMBOAT "HALLIE"—GRANT'S PROCLAMATION—LADY BAXTER—CONSTITUTION OF 1874—ELECTIONS OF 1874—GARLAND'S ADMINISTRATION—TWENTIETH LEGISLATURE—SPECIAL MESSAGE—ADJOURNED SESSION—CAMPAIGN OF 1876—ARKANSAS STATE ELECTION.

Gov. Powell Clayton's administration embraces the period from July 2, 1868, to January 6, 1873, and constitutes the darkest pages in Arkansas' history. He was the ninth governor of the state and was the first governor under the constitution of 1868, a history of which is given in the chapter on Reconstruction.

Powell Clayton was born on August 7, 1833, in Delaware County, Pennsylvania, where he grew to manhood. He was educated in the military academy at Bristol, Pennsylvania, and in 1855 went to Kansas. There he followed civil engineering until the breaking out of the Civil war in the spring of 1861. He enlisted as a captain in the First Kansas Infantry, whose first engagement was at Oak Hill, or Wilson's Creek, Missouri. He was then commissioned lieutenant-colonel of the Fifth Kansas Cavalry, which was attached to Gen. Samuel R. Curtis' "Army of the Border." Shortly after the battle of Helena, Arkansas, July 4, 1863, he was promoted to colonel. His regiment was then assigned to the army commanded by Gen. Frederick Steele and was with that officer when he occupied Little Rock on September 10, 1863. Colonel Clayton was then placed in command at Pine Bluff. For his successful defense of that post against the assault of Gen. John S. Marmaduke, he was promoted to brigadier-general.

At the close of the war General Clayton married a Miss McGraw, of Helena, and in 1867 purchased a large plantation near Pine Bluff. He was one of the leaders in the movement that culminated in the adoption of a new constitution in 1868. On March 13, 1868, he was elected governor, but was not inaugurated until the 2nd of July. On September 9, 1868, while hunting near Little Rock, he lost his left hand by the accidental discharge of his gun. In January, 1871, he was elected United States senator for the term of six years, beginning on the 4th of the following March. At the expiration of his term as senator he located at Eureka Springs, where he became interested in the railroad running between that place and Seligman, Missouri. From 1899 to 1903 he was the United States minister to Mexico. He then took up his residence in Washington, D. C., where he died on August 25, 1914. His last years were spent in writing a book

entitled "The Aftermath of the Civil War in Arkansas." The book was not published until after his death.

Mrs. U. M. Rose, who lived in Arkansas during the time Clayton was governor, wrote a review of his "Aftermath" for Volume IV of the "Arkansas Historical Publications." She says: "He evidently wrote it to justify his reign as governor, but that could never be done, and it seems to me the book is very weak in defense of his course, besides being very bitter and very unfair to the people of our state. It is a very cunning book and to one who had known nothing of the conditions here it might seem that he gave us a very liberal government, but that is untrue. The one controlling motive with him seemed to be to humiliate the Southern people and to make them feel he was their master, and so he was, for he was upheld by the Federal Government and we could do nothing."

Mrs. Rose then tells the following story concerning the election of March, 1868, which throws some light upon the reconstruction methods of conducting elections:

"He knew, and every one knew, he was elected by fraud, a specimen of which came under my own observation. We had an ignorant, rough negro hired as a yard man and on the morning of the election he did not turn up, and we did not see him until the morning of the fourth day (the election lasted three days). When he came I said: 'Stever, where have you been all this time?' He said: 'I was in dat place out dar and dey wouldn't let me out till de 'lection was ober.' Three hundred negroes were camped out a little southwest of town and the first day they came in and voted the republican ticket, the second day they marched in and voted, claiming to have been driven from the polls in Saline County. The third day they marched in and voted as negroes having been driven from the polls in Clark County. That is only one specimen of the election that put Clayton in, and such things were kept up during all the six years of reconstruction. It is a notorious fact that those in office during those six years stole everything in sight, even to the slate roof off the penitentiary. They bankrupted the city, the state and many of the counties."

CAMPAIGN OF 1868

In the presidential campaign of 1864 the people of Arkansas took no part, as the state was then a member of the Southern Confederacy. With the assembling of a constitutional convention on January 7, 1868, and the prospects favorable for the establishment of a state government that would be acceptable to Congress, both the Republican and Democratic parties held conventions for the selection of delegates to the national conventions, presidential electors, representatives in Congress, etc.

The Republican state convention met at Little Rock on the 15th of January. Joseph Brooks, of Helena, was chosen chairman and the following nominations were made: Presidential electors at large, W. H. Grey and O. A. Hadley; First District, J. P. Farrelly; Second District, O. P. Snyder; Third District, M. L. Stephenson. For representatives in Congress Logan H. Roots, James Hinds and Thomas Boles were nominated from the first, second and third districts, respectively. B. F. Rice, Alexander McDonald, W. H. Grey and R. W. Mc-

Chesney were chosen delegates at large to the national convention; F. E. Wright and W. S. McCullough, delegates from the First District; James T. Elliott and H. B. Morse, from the Second; S. F. Cooper and Valentine Dell, from the Third. The delegates were instructed to support Gen. Ulysses S. Grant for President.

The convention then completed its work by the selection of the following candidates for the state offices: Powell Clayton, for governor; James M. Johnson, for lieutenant-governor; Robert J. T. White, for secretary of state; James R. Berry, for auditor; Henry Page, for treasurer; J. R. Montgomery, for attorney-general; William H. Gillem, for superintendent of public instruction; Lafayette Gregg, Thomas M. Bowen, John M. McClure and James T. Elliott, for justices of the Supreme Court.

Two days later the Democratic state convention assembled, in the rooms occupied by the state central committee in the Ditter Building at Little Rock. S. A. Saunders, of Dallas County was chosen chairman. A. H. Garland, Robert A. Howard, B. D. Turner and E. C. Boudinot were chosen delegates at large to the national convention; Robert Smith and Jacob Frolich, from the First District; John Wright and S. A. Saunders, from the Second; J. S. Dunham and R. C. Davis, from the Third. Presidential electors were also nominated, but changes were made before the election. Those who finally served in that capacity were: Robert S. Gantt and John R. Fellows, electors at large; W. W. Drummond, First District; M. L. Jones, Second District; W. D. Jacoway, Third District.

Charles C. Cameron was nominated for representative in Congress from the First District; A. A. C. Rodgers, from the Second District; L. B. Nash, from the Third District. No nominations were made for state officers, consequently at the state election in March, the Republican candidates had no opposition.

The Republican national convention met in Chicago on the 20th of May. Gen. Ulysses S. Grant was unanimously nominated for President, only one ballot being necessary, and Schuyler Colfax, of Indiana, was nominated on the fifth ballot for Vice President.

On the 4th of July the Democratic national convention met in New York City. The leading candidates for the presidential nomination were George H. Pendleton, of Ohio; Gen. Winfield S. Hancock, of Pennsylvania; and Thomas A. Hendricks, of Indiana. Pendleton dropped out of the race on the eighteenth ballot, and on the twenty-first Hancock received 135 votes and Hendricks, 132. Under the two-thirds rule 212 votes were necessary to a choice. On the twenty-second ballot the convention "stampeded" and Horatio Seymour, president of the convention, was nominated. Gen. Francis P. Blair, of Missouri, was nominated for Vice President on the first ballot. At the election on November 3, 1868, the Republicans carried Arkansas by a vote of 22,152 to 19,078, and the five electoral votes of the state went to Grant and Colfax.

SEVENTEENTH LEGISLATURE

This was the first General Assembly under the new constitution. It began its session on April 2, 1868, with Lieut.-Gov. James M. Johnson presiding over the senate, and John G. Price was elected speaker of the house. In his farewell message Governor Murphy congratulated the people of the state on the bounti-

ful harvest of the preceding year, and the prospects of a complete restoration of the state government under the new constitution, which he declared was founded upon the principles of the Golden Rule. He recommended the funding of the state debt by the issuance of bonds at a low rate of interest and announced that his administration would leave $122,000 in the treasury for the incoming governor.

Powell Clayton was inaugurated governor on July 2, 1868, and the next day delivered his message to the Legislature. In it he made a bid for popular support by his expressions in favor of just laws and untrammeled elections. "That the will of the people," said he, "is the supreme law is a principle of government that underlies our free institutions. He, therefore, who would willfully defeat the true expression of that will, by deterring a citizen from the exercise of the elective franchise, or by defrauding him of his vote, strikes a blow at the foundations of the government itself and merits the severe pains and penalties of an outraged law. In view of the fall elections you should, at an early day, by the enactment of a wise and rigorous election law, put into the hands of the executive officers of the state ample authority for the protection of every qualified voter in the free expression of his preference at the ballotbox."

An old resident, who heard the reading of the message, remarked to a friend: "That sounds good." But in carrying out the policy, the people of Arkansas discovered that Governor Clayton was more interested in the negro vote than in that of the white citizens. In his message he recommended that the county officers, having in charge the registration of voters, be required in addition to enroll the militia. "This," said he, "will save the expense of detailing officers for that service and will be as efficient."

He further recommended the organization and arming of the militia under the direction of the commander-in-chief, which was himself. Once organized and armed, the militia was used to control elections in such a manner as to perpetuate the power of the Clayton regime.

One of the duties that fell to the lot of this General Assembly was to elect two United States senators. Alexander McDonald was elected for the term expiring on March 4, 1871—the remainder of the term for which William K. Sebastian had been elected in 1865—and Benjamin F. Rice was elected for the term ending on March 4, 1873. The state was divided into three congressional districts. The First District embraced twenty-three counties in the northeastern part of the state; the Second District included the fifteen Southeastern counties; and the Third District was composed of the sixteen counties in the western part, extending as far east as Pulaski.

This General Assembly held two sessions. The first closed on the 23d of July, 1868, and the second lasted from November 17, 1868, to April 10, 1869. Among the acts passed during the two sessions were the following: To fund the public debt of the state, the new bonds to equal the principal and accrued interest of the old; to create a board of railroad commissioners with power to grant state aid to railroad companies under certain conditions; to divide the state into ten judicial circuits and fix the time of holding court in each; to provide for the enrollment of the militia "for public defense;" to establish the Arkansas Deaf Mute Institute; to remove the Institute for the Blind from

Arkadelphia to Little Rock; to establish an industrial university under the act of Congress of July 2, 1862, for the establishment in each state of an Agricultural and Mechanical College; and to create the counties of Boone and Grant. A new law relating to the assessment of property and the levying of taxes was also passed. Concerning this law, one of the leading newspapers in the state said:

"The masses, paying no great attention to the wire-working of politicians, are the last to become thoroughly convinced of corruption in high places. If the present rate of taxation does not open their eyes, Heaven help us as a state. Upon the taxes now levied will be heaped an additional one, for the payment of the interest on the state debt, made up of what we justly owe and a million and a half that we do not owe."

EIGHTEENTH LEGISLATURE

Under the constitution of 1868 the state officers were elected for four years. The election of 1870 was therefore for members of the General Assembly and some of the county officers, hence the campaign was not of special interest. The date of beginning the legislative sessions was changed by the new constitution to the first Monday in January following the election. The eighteenth Legislature assembled on January 2, 1871, and organized with Lieut.-Gov. James M. Johnson as presiding officer of the senate and Charles W. Tankersley—a carpet-bagger representing Clark County—as speaker of the house.

As the term of United States Senator Alexander McDonald would expire on March 4, 1871, it was necessary for this Legislature to elect his successor. On January 11, 1871, the two houses met in joint session for that purpose. Gov. Powell Clayton received a majority of the votes and was declared elected. Then began a fight between the two factions of the republican party known as the "Minstrels" and the "Brindle Tails"—the former led by Governor Clayton and the latter by Rev. Joseph Brooks. The name "Minstrel" grew out of the fact that John G. Price, editor of the "Little Rock Republican" and a stanch supporter of Governor Clayton, had once been connected with a minstrel troupe. The other faction received its name from Jack Agery, a negro orator, who said: "Rev. Joe Brooks' voice reminds me of an old brindle tail bull I knew of when I was a boy, that bellowed so loud he scared the other cattle half to death."

Lieutenant-Governor Johnson was a "brindle." At the opening of the session he had "recognized and sworn in" Joseph Brooks as a senator from the district composed of Pulaski and White counties. Clayton's friends pointed out to him that, if he went to the United States Senate, Johnson would become governor and the state would be turned over to the hated "brindle tails." Resolutions of impeachment against the lieutenant-governor were introduced by the Clayton wing, charging him with having recognized Brooks as a senator in defiance of law, etc., hoping to get him out of the way. But the senate committee on elections decided in favor of Willshire Riley and Brooks was unseated. This put an end to the impeachment proceedings and Clayton announced that duty compelled him to decline the office of United States senator, to which he had been elected.

Now, the other faction had its inning. On February 16, 1871, W. B. Pad-

gett, a "brindle" representative from Independence County, presented in the house a motion "to impeach Gov. Powell Clayton of high crimes and misdemeanors, and to suspend him from the office of governor." The motion charged him with "conspiring to deprive the lieutenant-governor of the office to which he was elected by the people; that he has unlawfully removed certain officers in Clark County; that he has encouraged frauds in the election of senators and representatives from the Thirteenth District, composed of Hot Spring, Montgomery, Polk and Scott counties; that he accepted pecuniary consideration for issuing railroad aid bonds of the state to the Memphis & Little Rock, the Little Rock & Fort Smith, and the Mississippi, Ouachita & Red River railroad companies in violation of law; and that he has committed other high crimes."

The motion was carried by a vote of 43 to 33 and managers were appointed to prepare articles of impeachment for presentation to the bar of the senate. Clayton's friends knew how to "fix" witnesses and the board of managers failed to produce sufficient testimony to sustain the impeachment charges, which were accordingly dismissed. Fortunately for the "minstrels" an incident occurred at this juncture which relieved the situation. Robert J. T. White, secretary of state, resigned and Governor Clayton prevailed upon the lieutenant-governor to accept an appointment to the vacancy. Ozra A. Hadley, a senator from Pulaski County, was then elected president of the senate and on March 14, 1871, another joint session of the two houses of the Legislature elected Powell Clayton United States senator "to fill the vacancy occasioned by his declination."

During the session acts creating Lincoln, Logan and Nevada counties were passed; provisions were made for the organization of the Industrial University created by the preceding Legislature; the time for the completion of all railroads that had received state aid was extended; criminal courts were established in counties having a population of 15,000 or more; the election laws were amended, and the elective franchise was restored to a large number of citizens named in the special act. The Legislature adjourned on March 25, 1871.

OZRA A. HADLEY, ACTING GOVERNOR

On March 17, 1871, Governor Clayton sent a message to the Legislature, tendering his resignation and informing the members that he had turned over to the president of the senate all the records of the executive office, said president of the senate to be acting governor for the remainder of the term for which Clayton was elected. Says John M. Harrell, in his history of the reconstruction period: "Senator Clayton, by the election of Hadley president pro tempore of the senate and acting governor, proposed to continue his control over the state from his seat in the United States Senate."

Ozra A. Hadley, who thus became acting governor, was born on June 30, 1826, in Chautauqua County, New York, and there grew to manhood. He was educated in the public schools and at Fredonia Academy. In 1855 he went to Olmstead County, Minnesota, where he purchased a farm. Four years later he was appointed county auditor, to fill a vacancy, and in 1860 was elected for a full term. In 1865 he came to Arkansas and located in Little Rock. Having been a Whig while that party was in existence, he cast his lot with the Republican party. He favored the Congressional plan of reconstruction and in 1868

canvassed Arkansas for the new constitution. The same year he was elected one of the senators from the district composed of Pulaski and White counties. Immediately upon the resignation of Governor Clayton he assumed the duties of governor and served until January 6, 1873. He was then appointed register of the United States land office at Little Rock, and later postmaster of that city. Governor Hadley was regarded as a carpet-bagger by the resident portion of the population. With the adoption of the constitution of 1874 he ceased to be a factor in state politics, though he was delegate from Arkansas to the republican national conventions of 1872, 1876 and 1880. In 1882 he removed to Colorado.

CAMPAIGN OF 1872

In the national campaign of 1872 the "Minstrels" in Arkansas were aligned with the regular Republican organization and the "Brindles" identified themselves with the "Liberal" movement. As early as 1870 a part of the Republican party in Missouri formed a coalition with the Democrats and carried the state. This was the beginning of the Liberal Republican party. During the year 1871 a great deal of missionary work was done over the country. At a mass meeting of Liberal Republicans of Missouri, held at Jefferson City in January, 1872, a call was issued for a national convention to meet in Cincinnati on the 1st of May. Not long after the Jefferson City convention, Liberty Bartlett, John Edwards and a few others issued a call for a Liberal Republican convention at Little Rock. Senator B. F. Rice, Rev. Joseph Brooks, William G. Whipple, United States district attorney for the eastern district of Arkansas, Gen. R. F. Catterson, who had been one of Clayton's strongest supporters, and several others joined in the movement. The Arkansas delegates to the national convention were: Edward Bancroft, O. S. Dillon, W. M. Fishback, Bright Herring, A. D. Hawkins, R. J. Jennings, John Kirkwood, A. D. Lindsey, D. W. Mason, John F. Owen, C. N. Underwood and Q. K. Underwood.

The national convention was largely in the nature of a mass meeting, as the party had no regular organization, except in a few places. Horace Greeley was nominated for President on the sixth ballot, and B. Gratz Brown was nominated for Vice President. The platform declared for the "immediate and absolute removal of all disabilities imposed on account of the rebellion; local self government and subordination of the military to the civil authority; no more land grants to railroad companies; and that no President should be a candidate for reëlection."

On June 5, 1872, the Republican national convention met in Philadelphia. President Grant was nominated for reëlection without opposition, and Henry Wilson was nominated for Vice President. The platform approved the action of Congress "in protecting the ballot-box in the lately rebellious states;" denounced repudiation; indorsed the amendments to the Federal Constitution; and advocated liberal pensions to soldiers and sailors.

The Democratic national convention was held in Baltimore, beginning on July 9, 1872. On the 10th the nomination of Greeley and Brown and the Cincinnati platform of the Liberal Republicans were indorsed. A few of the delegates were opposed to the indorsement of Mr. Greeley and held a "Demo-

cratic'' meeting, but it accomplished nothing toward stemming the tide. When the news reached Little Rock, a ratification meeting was held (July 11th) in the capitol grounds. Gen. R. C. Newton, Robert A. Howard and Joseph Brooks were the principal speakers.

STATE CONVENTIONS

The Liberal Republicans were the first to hold a state convention in Arkansas for the nomination of candidates for the state offices. They met in Little Rock on May 22, 1872, at the call of Benjamin F. Rice, James L. Hodges and G. W. McDiarmid, who were stigmatized as ''bolters'' by the ''Little Rock Republican,'' the organ of the Clayton wing, because they had formerly been members of the Republican state central committee. Resolutions were adopted condemning the course of President Grant for intermeddling with Arkansas affairs; indorsing the nomination of Greeley and Brown by the Cincinnati convention; and adopting as a slogan Greeley's ''Honest men for office; thieves to the rear.''

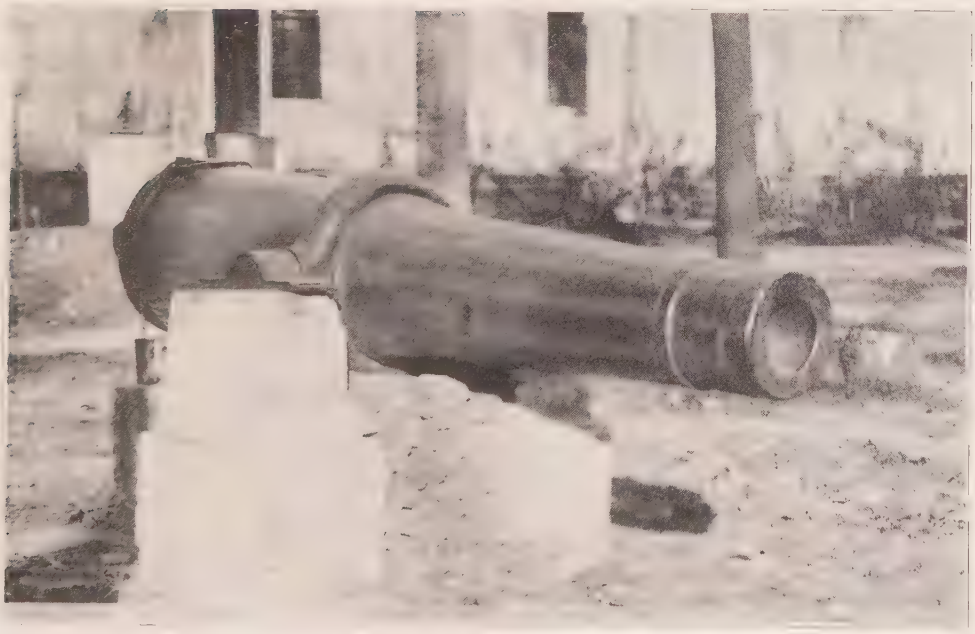
The following ticket was nominated: Joseph Brooks, for governor; D. J. Smith, lieutenant-governor; E. A. Fulton (colored), secretary of state; James R. Berry, auditor; T. J. Hunt, treasurer; W. P. Grace, attorney-general; Thomas Smith, superintendent of public instruction; William Harrison and John Whytock, associate justices of the Supreme Court; William J. Hynes, Congressman at large; M. L. Rice, Sidney M. Barnes, George W. McLane, R. L. Archer and E. J. Brooks, presidential electors.

On June 19, 1872, the Democratic state convention met in Little Rock and selected delegates to the national convention. After the adoption of a resolution declaring: ''That the best policy to be pursued by the people, to make certain of success in the coming election, is to have unanimity of action, as well as feeling, on the part of all good citizens of all parties, who favor reform in the administration of the state and county governments,'' the national and state tickets of the Liberal Republicans were indorsed.

The ''regular'' Republican state convention was held in Little Rock on August 21, 1872. Four candidates for governor were presented, viz: Ozra A. Hadley, Gen. A. W. Bishop, Alexander McDonald (former United States senator) and Elisha Baxter. Hadley, Bishop and McDonald belonged to that class of politicians known as carpet-baggers and the leaders feared the success of the Liberal ticket if any of them should be nominated. Therefore their names were withdrawn and Baxter was nominated by acclamation. The ticket was then completed by the selection of Volney V. Smith, for lieutenant-governor; James M. Johnson, secretary of state; Henry Page, treasurer; Stephen Wheeler, auditor; T. D. W. Yonley, attorney-general; M. L. Stephenson and E. J. Searle, associate justices of the Supreme Court; J. C. Corbin (colored), superintendent of public instruction; John M. Bradley, Congressman at large. The nomination of presidential electors was left to the executive committee, composed of Powell Clayton, J. N. Sarber, Ozra A. Hadley, S. W. Dorsey, E. R. Wiley, J. T. White, James Torrans, John McClure and E. D. Ham.

At the election on November 5, 1872, the largest vote in the history of the state (80,721) was cast. This was due in a great measure to the enfranchise-

ELISHA BAXTER
Governor of Arkansas, 1873-1874



OLD CANNON, CALLED "LADY BAXTER," RELIC OF THE BROOKS-BAXTER WAR

ment of the negroes, as many white voters failed to go to the polls. The Republican ticket was elected. According to the returns, as announced by the Legislature at the opening of the session on January 6, 1873, Baxter's majority was 2,948. For President the vote was 41,373 Republican, 37,927 Democratic and Liberal. The representatives in Congress elected were Asa Hodges, O. P. Snyder and W. W. Wilshire from the three districts and William J. Hynes, at large. The last named was the only candidate on the Democratic-Liberal ticket to be elected. In a contest, Wilshire's seat was given to Thomas M. Gunter. L. C. Gause contested the election of Hodges; M. L. Bell, contested that of Snyder, and John M. Bradley, that of Hynes, but none of these contests was successful.

BAXTER'S ADMINISTRATION

Elisha Baxter, tenth governor of the State of Arkansas, was born in Rutherford County, North Carolina, September 1, 1827, a son of William and Catherine (Lee) Baxter. The father was a native of Ireland, who came to America in 1789, and the mother was born in Virginia. Elisha received only a limited education and in 1848 engaged in the mercantile business in his native county. In 1852 he came to Arkansas, locating in Batesville, where he and his brother, Taylor Baxter, opened a mercantile establishment the next year. In 1854 he was elected to the Legislature as one of the representatives from Independence County. His interest in politics, and the consequent neglect of his business, caused a failure of his mercantile firm in 1855, though the brothers paid every cent of their indebtedness.

Elisha then went into the office of the "Independent Balance," a Batesville newspaper conducted by M. S. Kennard and U. E. Fort, to learn the printer's trade. Here he was employed for about a year, studying law in the meantime with H. F. Fairchild. In 1856 he was admitted to the bar and in 1858 was again elected to the Legislature. At the close of the legislative session in 1859 he formed a partnership with James Hinds, who was elected to Congress in 1866 and was killed shortly afterward during the reconstruction troubles.

Although a slaveholder, Mr. Baxter was a Whig and was opposed to secession. When the war began in 1861, he adhered to the cause of the Union and was offered by Gen. Samuel R. Curtis the colonelcy of the First Arkansas Infantry (Union) in 1862. He declined the commission, not because of any lack of loyalty, but because he was of southern birth and did not like to take up arms against his friends. Soon after that he went to Missouri, where he was captured by a detachment of Confederate cavalry belonging to the command of Col. (afterward Gen.) Robert C. Newton. He was paroled by Colonel Newton and ordered to report to Gen. T. H. Holmes at Little Rock. Upon his arrival there he was arrested on the charge of treason against the Confederate States and thrown into the county jail. An indictment was returned, but the trial was postponed and with the assistance of friends he managed to make his escape. He then sought refuge inside General Steele's lines. General Steele authorized him to recruit a regiment for the Federal service and he raised the Fourth Arkansas Mounted Infantry, of which he was commissioned colonel. He commanded the post at Batesville until the formation of the Murphy government in the spring of 1864, when he was made chief justice of the Supreme Court.

Two weeks later he was elected United States senator, but was not permitted to take his seat.

After the war was over he returned to Batesville and resumed the practice of his profession. In 1868 he was appointed register in bankruptcy for the First Congressional District, by Salmon P. Chase, then chief justice of the United States Supreme Court. The same year he was appointed judge of the Third Circuit by Governor Clayton. He discharged the duties of both circuit judge and register in bankruptcy until nominated for governor in 1872. In November, 1874, he was succeeded in the office of governor by Augustus H. Garland. He retired to private life at Batesville, where he again took up the practice of law and was also interested in agricultural pursuits, owning a good farm near that city. He died at his home in Batesville on the last day of May, 1899.

In 1849 Governor Baxter married Miss Harriet, daughter of Elijah Patton, of Rutherford County, North Carolina. To this union were born six children—Millard P., Edward A., Catherine M., George E., Hattie O., and Fannie E.

NINETEENTH LEGISLATURE

The regular session of the nineteenth Legislature began on January 6, 1873, and closed on the 25th of April following. Volney V. Smith, the new lieutenant-governor, was ex-officio president of the senate, and Charles W. Tankersley was again elected speaker of the house. As soon as each house was organized a joint session was held to canvass the returns of the November election. Governor-elect Baxter was then inaugurated and delivered a brief address, in which he pledged himself to carry out the promises made by his party in the campaign, especially the restoration of the right to vote to the disfranchised citizens of the state.

The Legislature of 1871 proposed an amendment to the constitution removing all restrictions upon the exercise of the elective franchise, except for felonies, of which the accused had been duly convicted, insane persons, etc. The nineteenth Legislature submitted this amendment to the people at an election, to be held on March 3, 1873. It was then ratified by popular vote and Governor Baxter issued his proclamation on the 19th of April, declaring it a part of the organic law and in full effect. But the registration officers still retained the power to strike from the lists of voters the names of such persons as they thought were not entitled to vote, hence the amendment lost some of its force through arbitrary acts of the registration boards.

Eight new counties were created by this General Assembly, to wit: Baxter, Clayton, Dorsey, Faulkner, Garland, Lee, Lonoke and Stone. A "civil rights bill" was passed for the purpose of preventing railroads, hotels, restaurants, places of amusement, etc., from discriminating against colored people; the board of education was ordered to establish schools for colored children; the state was divided into five congressional districts; counties, cities and towns were authorized to issue bonds to aid in railroad construction, and a number of acts of a local or special nature were passed. Stephen W. Dorsey was elected United States senator, to succeed Benjamin F. Rice, for the term beginning on March 4, 1873. Concerning his election the "Helena World" said:

"S. W. Dorsey has been in our state about two years, all told. About half of that time he was not a denizen, his family remaining in his cherished home, Oberlin, Ohio. He is unknown to the people of Arkansas. He came here to promote his railroad interests. He obtained state, county and city aid, under the most solemn pledges. By trickery, hocus-pocus and legerdemain, the gauge of the road was changed from standard to narrow gauge, as adopted. Today we have a wheelbarrow road from Helena westward, costing nothing in comparison with the one he professed to come here to construct."

THE BROOKS-BAXTER WAR

Before the Legislature met in January, 1873, and promulgated the official vote of the election for governor, Joseph Brooks and some of his most enthusiastic supporters claimed that the returns had been "doctored" and that he was elected. The Liberal-reform committee issued a call for a state convention, to meet at Little Rock on Saturday, January 4, 1873, only two days before the time for the assembling of the Legislature. Governor Hadley, pretending to fear for the safety of state property, ordered Maj.-Gen. D. P. Upham "to furnish a sufficient force of state troops (Clayton's militia) to duly protect and preserve the capitol building of this state."

The presence of the troops no doubt had a tendency to prevent any demonstration on the part of the convention. It is known, however, that an effort was made to induce certain members of the General Assembly to join in a movement to install Brooks as governor and set up a rival state government. Failing in this project, Brooks remained inactive until after the adjournment of the Legislature. On June 3, 1873, Attorney-General Yonley, on the relation of Mr. Brooks, instituted quo warranto proceedings in the Supreme Court against Governor Baxter. The same day Senator Clayton sent the following telegram to Baxter:

"Quo warranto proceedings against you have been inaugurated without my knowledge or approval, and are in my opinion unwise and highly detrimental to the interests of the state. My judgment did not approve your late action, because I did not believe that such a move was seriously contemplated, and even if contemplated, I regard the calling out of the militia as premature. Nor would I now advise any show of force, unless a forcible attempt should be made to oust you. I believe you are the legitimate governor of Arkansas; and as much as I regret to see our state disgraced abroad by distractions at home, I hope you will stand firm, regardless of results.

"POWELL CLAYTON."

The "late action" referred to by Senator Clayton was the quartering of Capt. John C. Peay's company in the executive wing of the capitol to forestall any attempt to oust the governor by force. This was done at the suggestion of the secretary of the Democratic state central committee, with the approval of E. H. English and F. W. Compton, ex-judges of the Supreme Court. On the 5th of June Judge Lafayette Gregg delivered an oral decision, to the effect that the Supreme Court had no jurisdiction in the quo warranto case, and that the sole power to settle such a question was vested in the General Assembly. As the Assembly had already pronounced its verdict, Brooks was left, like Mahomet's coffin, "suspended in mid-air."

But Brooks had not exhausted his resources. On June 16, 1873, through his attorneys, M. W. Benjamin, R. A. Burton and W. G. Whipple, a complaint was filed in the Pulaski Circuit Court setting forth that, on the 5th of November, 1872, a general election was held in the State of Arkansas; that at that election the plaintiff received a majority of the votes cast for governor; that on the 7th day of January, 1873, the defendant (Elisha Baxter) usurped the said office of governor and has ever since unlawfully withheld the same from said plaintiff; that since the usurpation the defendant had received $3,000 in fees and salary rightfully belonging to the plaintiff. Wherefore, the plaintiff demanded that Baxter be ousted and that judgment be rendered for the fees and emoluments aforesaid.

Baxter's attorneys entered a demurrer at the October term of the court, on the grounds that the court had no jurisdiction. There the matter rested for about six months. During that time there was almost a complete change of front in the political factions. In making his appointments, Governor Baxter tried to select men of suitable qualifications; regardless of their political affiliations. Consequently a number of Democrats were among his appointees, which did not meet the approval of the "Minstrel" leaders, who claimed they had put Baxter in the office. Another cause of estrangement was that Baxter was honestly trying to carry out the platform pledges to restore the elective franchise to the citizens of the state. Still another was the governor's opposition to the bill releasing railroad companies from all obligations to the state, upon their delivering to the state treasurer paid up, non-assessable stock equal to the amount of bonds issued to said companies. The bill also authorized a tax levy of three mills on the dollar, "for the purpose of creating a fund for the payment of interest on said bonds and the reduction of the principal."

These things caused many who had supported Baxter for governor to go over to the side of Brooks, while many of Brooks' former friends espoused the cause of Baxter. Says John M. Harrell: "The war on Governor Baxter was waged because he did not act upon ex-Governor Hadley's hint, when the latter said: 'Baxter, I have no objection to your politics, but you should let the boys make some money.' What money? The money that was to be wrung from the hard hands of an impoverished people, by such measures as the 'Railroad Steal Bill!' The farmers of Arkansas, white and black, women and children, were working barefooted, living upon insufficient diet, already plundered to destitution. Yet their scanty stock and stores were to be further taxed to release great corporations from indebtedness, and interest thereon at eight per cent, of millions, and to pay interest on bonds sold by such promoters as Josiah Caldwell in New York and London, for fifty or sixty per cent of their face value, in order that a horde of idle strangers, without right or merit, should live in vicious indulgence."

Now that he had the backing of the radical wing of the republican party, Brooks determined to press his suit to oust Baxter. On April 15, 1874, Judge John Whytock, of the Pulaski Circuit Court, called up the "usurpation case" of Brooks vs. Baxter and, in the absence of Baxter or his attorneys caused to be entered the following judgment:

"The demurrer filed by the defendant to the complaint of the plaintiff, having heretofore been submitted to the court and taken under advisement,

and the court being sufficiently advised of the law arising thereon, overrules the said demurrer, and the said defendant failing to answer, and there being no answer to said complaint, the same is taken for confession.

"It is therefore ordered and adjudged that Joseph Brooks, named in the complaint, and plaintiff in this action, is, and he is hereby declared to be, entitled to the said office of governor of Arkansas, and all books, papers and other appurtenances thereto belonging, by virtue of the election in said complaint mentioned.

"It is also further ordered and adjudged that the said plaintiff recover of the said defendant the sum of $2,218, with interest thereon at the rate of six per cent per annum, from this date, until paid, also his costs in this behalf expended, for which he may have execution."

What followed the rendition of this decision and judgment is thus told by Governor Baxter, in a letter to the "New York Herald" a few weeks later:

"By an extraordinary coincidence Mr. Brooks and his friends were convenient to the scene of the judgment. Without awaiting the issue of the writ of ouster, and upon the overruling of the demurrer, no moment of time being given for the filing of an answer on the merits of the case, these gentlemen procuring a mere copy of the minutes of the judge's action, and, by a second coincidence, finding the chief justice close by, had Mr. Brooks secretly sworn as governor. The party proceeded without delay to the executive office, where, as I have in a public proclamation remarked, the traditions of the American people would have rendered it absurd to place an armed guard or even a vidette, Mr. Brooks, in person, with an armed force of a dozen or twenty, took possession of my room, and I was permitted the alternative of forcible and unseemly ejection, or of such arrest and punishment as he might see fit to inflict. Before I could take measures to reoccupy the state-house it was filled with armed desperadoes."

Governor Baxter went out to St. John's College, a military school in the southeastern part of the city, and there established his "executive office," with the cadets as a sort of body guard. Late that afternoon about twenty-five citizens, headed by Gen. Robert C. Newton and Benjamin S. Johnson, two prominent lawyers, went to the college to assure Baxter of their support. Upon the advice of Newton and Johnson, Baxter, on the 16th, proclaimed martial law in the County of Pulaski and called upon "all persons capable of military duty to assist in putting down the armed rebellion." Newton was appointed major-general of the militia, and Gen. T. P. Dockery was appointed military governor of the city.

Soon after issuing his proclamation, Governor Baxter established his headquarters at the Anthony House, on the south side of Markham Street near Scott, and within less than three blocks from the state-house, where the Brooks forces were gathered under command of Maj.-Gen. James F. Fagan. Volunteers from all over the state came to Little Rock, in support of one side or the other, until in a few days there were about three thousand armed men in the city. The firing of a single shot might have precipitated civil war.

Both Brooks and Baxter issued proclamations to "the people of Arkansas," and appealed to the President for recognition. The President, through Attorney-General George H. Williams, referred the two contestants to the courts. It will be remembered that in June, 1873, when the quo warranto proceedings

were instituted in the Supreme Court, that Senator Clayton telegraphed Governor Baxter pledging his support, but on April 16, 1874, the same senator telegraphed Mr. Brooks: "We rely on your maintaining your vantage ground, which you must hold at any cost. Our position here is that the courts must determine the question, and no collusion will be allowed to interfere."

Quite a change of opinion in ten short months! On the day the above telegram was received by Brooks, a meeting of the Little Rock bar was held and a resolution adopted declaring that "The act of the Circuit Court in rendering a judgment in the case of Brooks vs. Baxter, when the case had not been set for trial, involving jurisdiction which had been twice considered by the Supreme Court and declared not to be within the jurisdiction of the Circuit Court, wholly null and void, not a judicial act, and afforded no color for the revolutionary proceedings based upon it."

The bar meeting was attended by a large number of the leading lawyers of the state, many of whom had voted for Brooks for governor. An address was issued and signed by forty-four of these attorneys, "urging the people to rally to the support of Baxter and aid in the maintenance of order and authority."

About daylight on the morning of the 18th the steamboat "Mary Boyd" came up the river with some three hundred reinforcements for the Baxter forces. The recruits were mostly negroes, commanded by Ira McL. Barton and H. K. White. With a brass band at the head of the procession, they marched from the landing to the Anthony House, singing a parody on a popular song of the day:

"Do you see that boat come round the ben'?
Good bye, my lover, good bye;
She's loaded down with Baxter men—
Good bye, my lover, good bye."

On the 19th the steamboat "Hallie," commanded by Capt. Sam Houston, was sent to Pine Bluff for more Baxter reinforcements. She returned late on the afternoon of the 20th with about five hundred men, who marched up Markham Street with colors flying and the men yelling at the top of their voices, eager to "get into action." Governor Baxter addressed them from the balcony of the Anthony House and counseled them to be patient. Colonel Rose, commanding the Federal troops, rode into the band, his horse striking one of the musicians, and asked Colonel White if it was the intention to make an assault upon the Brooks forces at the state-house. Some reports say that Colonel Rose drew his pistol and that White struck his arm upward, the pistol being discharged in the air. At the same time a negro on the sidewalk fired at Rose, but failed to hit him. An indiscriminate firing immediately began. Windows were pierced by bullets and some casualties occurred. David F. Shall was sitting in a window of the Anthony House with his back to the street. A rifle-ball struck him in the head and he died soon afterward. Col. William A. Crawford and Col. Daniel Jones were slightly wounded. Colonel Rose took the hook and ladder trucks for a barricade across Markham Street and placed two pieces of artillery in position to defend the capitol, but no further demonstration was made. This was the first actual clash between the two factions.

THE STEAMBOAT "HALLIE"

The steamboat "Hallie," mentioned above, was destined to play an important part in the Brooks-Baxter war. On April 30, 1874, she went down the river with about two hundred men, commanded by Colonel White, to intercept a company of negroes under Col. J. M. Murphy intended as reinforcements for Brooks. At New Gascony, about twenty-five miles below Pine Bluff, he surprised and put to rout Murphy's company, killing seven of his men and wounding about thirty others.

About 3 o'clock A. M., May 8th, the "Hallie" left Little Rock with Captain Welch's company of forty men on board, to intercept and capture a flatboat coming down the river with arms and ammunition taken from the Industrial University at Fayetteville. As the boat passed the state-house it was fired upon and immediately a force of several hundred men, commanded by Col. Jack Brooker, was sent up the river to the rescue of the flatboat, with instructions to capture the "Hallie" if possible. Brooker placed his men on a Fort Smith train, which enabled him to get ahead of the "Hallie." Near the mouth of Palarm Creek, about twenty miles above the city, he left the train and concealed his men in the brush on the north bank of the river. Lieutenant Grove was sent down some distance to hail the steamboat and order her to return to Little Rock. When he delivered his order Captain Houston told him to go to hell and signaled the pilot to proceed up stream. Captain Welch, suspecting an ambuscade, placed his men behind the thick plank bulwarks that had been erected around the bow of the boat. They were hardly in position when the Brooks forces concealed on the bank poured a murderous fire into the vessel.

Capt. John Meyers, the pilot, was severely wounded, Captain Houston was killed, Frank Timms was shot through the breast and lived but a short time, and L. B. Leigh was wounded in the knee. Welch's men returned the fire, with the result that two negroes on the Brooks side were mortally wounded and several others received slight wounds. A bullet pierced the steam pipe connecting the engines with the boilers, disabling the "Hallie" so that it was impossible to carry her out of range of the guns. She drifted down stream about three-fourths of a mile and lodged against the south bank. Captain Welch left a small detail to look after the wounded and guard the boat, the other members of the company passing down the south bank to Cabin Point, where they crossed over and about noon on the 9th reached Little Rock. This affair is known as "The battle of Palarm."

GRANT'S PROCLAMATION

In the meantime Governor Baxter was in telegraphic communication with the President. On April 19, 1874, he advised the President that he had the support of the people and could restore order, if the United States troops would not interfere, and that it was his intention to convene the Legislature to settle the question, as the General Assembly only had jurisdiction. To this President Grant responded, promising all the assistance he could give under the Constitution of the United States, and expressed the hope that the military forces would be disbanded. This was followed on May 9, 1874, by a communication from the United States attorney-general that Brooks and Baxter unite in

calling a special session of the Legislature to deal with the matter. Brooks accepted the proposition, but Baxter declined.

Two days later Brooks sent an ultimatum to the attorney-general that the President must either recognize him or Baxter. Attorney-General Williams then advised the President that under the constitution of Arkansas the Legislature had exclusive jurisdiction, whereupon Grant, on May 15th, issued his proclamation recognizing Elisha Baxter as the duly elected governor of Arkansas. This ended the war.

Joseph Brooks, who caused all this "tempest in a teapot," was a Methodist minister in Iowa prior to the Civil war. About the close of the year 1863 he came to Arkansas as chaplain of a regiment of negro troops. At the close of the war he located at Helena. He was one of the most ardent supporters of the reconstruction measures proposed by Congress and was a delegate to the constitutional convention of 1868. On October 22, 1868, in company with James M. Hinds, while on the way to attend a Republican meeting in Monroe County, the two men were fired on from ambush. Hinds died about two hours later and Mr. Brooks was slightly wounded. A little later he was elected to the lower house of the Legislature, to fill the vacancy caused by the death of J. C. Tobias, one of the representatives from Phillips County, and he was a candidate against B. F. Rice for United States senator at that session. After his failure to secure the governor's office, he practically retired from politics. He died at Little Rock on April 30, 1877, and his remains were taken to St. Louis for burial.

LADY BAXTER

Soon after the beginning of the Civil war in 1861, the steamboat "Pontchartrain" brought from New Orleans a sixty-four-pound cannon for the defense of Little Rock. This gun was placed on the bank of the river, in a position to destroy any boat coming up stream, and for about two years it was the pride of the city. When the Confederates evacuated Little Rock in September, 1863, upon the approach of General Steele, the big gun was spiked by order of Capt. John T. Trigg, commanding the battery, and was abandoned, being too heavy to carry on the retreat.

Late in April, 1874, the Baxter forces found the old cannon lying half-imbedded in the earth near the foot of Byrd Street. It was resurrected, christened "Lady Baxter," made ready for use, and was placed in position in the rear of the Metropolitan Hotel, on the corner of Main and Markham streets, to prevent the landing of boats coming up the river with men or supplies for Brooks. The only time the gun was discharged after its resurrection was in the salute fired in honor of Governor Baxter's return to the capitol on May 19, 1874. Subsequently, "Lady Baxter" was mounted in the old capitol grounds, where it still stands as a mute reminder of reconstruction days.

CONSTITUTIONAL CONVENTION OF 1874

On April 22, 1874, while the Brooks-Baxter war was at its height, Governor Baxter issued a call for the General Assembly to meet in special session on the 11th of May. Pursuant to the call, the Assembly met (inside the Baxter lines) and as both the lieutenant-governor and Speaker Tankersley were absent, J. G. Frierson was elected president pro tempore of the senate, and James H. Berry

was chosen speaker. The most important act of the session was that calling a constitutional convention, which was approved by Governor Baxter on May 18, 1874. It provided for an election to be held on the last day of June and apportioned the delegates among the several counties of the state.

The day after this act was approved, Governor Baxter and the Legislature took possession of the capitol. Volney V. Smith returned to his place as lieutenant-governor, but Speaker Tankersley refused to attend the session and Mr. Berry continued as speaker. The convention act also provided that no person should vote outside of the township, ward or precinct where he resided, and that each elector should have written or printed on his ballot the words "For Convention" or "Against Convention." In the event a majority was opposed to a convention, then the delegates elected should not assemble. If a majority was in favor of the convention, the delegates were to meet in Little Rock on July 14, 1874, to frame a new constitution for the state.

At the election 80,259 votes were cast "For Convention" and only 8,547 "Against Convention." Following is a list of the delegates elected from the several counties:

Arkansas, James A. Gibson; Ashley, Marcus L. Hawkins; Baxter, John W. Cypert; Benton, Horace H. Patterson and A. M. Rodgers; Boone, William W. Baily; Bradley, John R. Hampton; Calhoun, Benjamin W. Johnson; Carroll, Bradley Bunch; Chicot, F. Downs; Clark, Harris Flanagin and Jesse A. Ross; Clayton, E. F. Brown; Columbia, Dawson L. Killgore and George P. Smoote; Conway, William S. Hanna; Craighead, John S. Anderson; Crawford, Hugh F. Thomasson; Crittenden, W. L. Copeland; Cross, J. G. Frierson; Dallas, W. D. Lieper; Desha, J. P. Jones; Dorsey, John Niven; Drew, James P. Stanley; Faulkner, John Dunaway; Franklin, William W. Mansfield; Fulton, Edwin R. Lucas; Garland, Henry M. Rector; Grant, D. O. D. Cunningham; Greene, Benjamin H. Crowley; Hempstead, John R. Eakin and Grandison D. Royston; Hot Spring, W. C. Kelly; Howard, Jacob Custer; Independence, James W. Butler and James Rutherford; Izard, Ransom Gulley; Jackson, Franklin Doswell; Jefferson, Cyrus Berry, William Murphy and John A. Williams; Johnson, Seth J. Howell; Lafayette, Volney V. Smith; Lawrence, Philip K. Lester; Lee, Monroe Anderson; Little River, James H. Williams; Lincoln, Reason G. Puntney; Lonoke, James P. Eagle; Madison, John Carroll; Marion, Robertson J. Pierce; Mississippi, Charles Bowen; Monroe, Simon P. Hughes; Montgomery, Nicholas W. Cable; Nevada, Rufus K. Garland; Newton, George H. S. Dodson; Ouachita, Henry G. Bunn and Elijah Mosely; Perry, W. H. Blackwell; Phillips, John J. Horner, Robert Polk and James T. White; Pike, Henry W. Carter; Poinsett, Roderick Joiner; Polk, Stephen C. Bates; Pope, John R. Homer Scott; Prairie, David F. Reinhardt; Pulaski, George N. Perkins, Jesse Butler, Sidney M. Barnes and Daniel O'Sullivan; Randolph, John Miller, Jr.; St. Francis, John M. Parrott; Saline, Jabez M. Smith; Sarber, Benjamin B. Chism; Scott, J. W. Sorrells; Searcy, William S. Lindsey; Sebastian, William M. Fishback and R. P. Pulliam; Sevier, B. H. Kinsworthy; Sharp, Lewis Williams; Stone, Walter J. Cagle; Union, Robert Goodwin and Horatio G. P. Williams; Van Buren, Allen R. Witt; Washington, M. F. Lake, T. W. Thomasson and Benjamin F. Walker; White, Jesse N. Cypert and Joseph W. House; Woodruff, William J. Thompson; Yell, Joseph T. Harrison.

The convention organized by the election of Grandison D. Royston as president and Thomas W. Newton as secretary. On September 7, 1874, the constitution was completed and signed by a majority of the delegates. Among those who refused to sign was Volney V. Smith, lieutenant-governor under the constitution of 1868 and a delegate from Lafayette County. His refusal, and perhaps that of some of the others, was due to the attitude of Senators Clayton and Dorsey, who held that the convention was illegal. The constitution was submitted to the people at an election held on October 13, 1874, when it was ratified by a vote of 78,697 to 24,807.

ELECTIONS OF 1874

On July 21, 1874, while the constitutional convention was in session, a mass meeting in Little Rock issued a call for a Democratic Conservative convention, to meet immediately upon the adjournment of the constitutional convention, and recommended a basis of representation for the election of delegates, eighty-five in number. This call was issued in the belief that the new constitution would provide for the election of a new set of state officers. Section 3 of the Schedule did provide for the election of new officials on the 13th of October, who should take office in the event the constitution was ratified by the people on that day. Augustus H. Garland, Dudley E. Jones and Gordon N. Peay were named as election supervisors. When Garland was nominated for governor Judge U. M. Rose took his place as supervisor.

The Democratic state convention met on September 8, 1874, and nominated Elisha Baxter for governor on the first ballot. The same day Mr. Baxter sent a long communication to the convention, reviewing the events since he became governor, and concluded by saying: "Under the peculiar circumstances which exist, I deem it better to decline a nomination dictated, in some measure, by a feeling of gratitude as well as a regard for the public good."

This communication only strengthened Mr. Baxter with the delegates and he was again nominated—this time by acclamation. Again Mr. Baxter refused to accept the candidacy and the convention then nominated Augustus H. Garland. The ticket was completed as follows: Benton B. Beavers, secretary of state; William R. Miller, auditor; Thomas J. Churchill, treasurer; Simon P. Hughes, attorney-general; J. N. Smithee, commissioner of state lands; E. H. English, chief justice; David Walker and William M. Harrison, associate justices.

On August 15, 1874, Powell Clayton, chairman of the Republican state central committee, issued a call for a state convention of the Republican party, to be held at Little Rock on the 15th of September, " for the purpose of taking into consideration what line of policy it will pursue in the present exigency."

When the convention met Senator Stephen W. Dorsey was made permanent chairman. Powell Clayton delivered an address, in which he took the grounds that Elisha Baxter was not the governor of the state when he issued his proclamation on April 22, 1874, calling a special session of the Legislature, and as that Legislature provided for the constitutional convention, the constitution was illegally framed and adopted. Then, after a long dissertation about the Ku-klux, he closed his address by saying: "We submit our cause to a loyal Congress and the loyal Republicans of Arkansas."

No nominations were made, the radical leaders hoping that the "loyal Congress" would declare the constitution of 1868 the legal organic law of the state, and that they would be continued in control of affairs. But in this they reckoned without their host. A special committee of Congress, known as the "Poland Committee," was then engaged in an investigation of political conditions in Arkansas and Congress refused to take any action until that committee made its report. (See chapter on Reconstruction.)

At the election on October 13, 1874, the Democratic-Conservative candidates were therefore elected without opposition, except fifty votes returned as "scattering." On November 3, 1874, occurred the election for representatives in Congress. Four Democrats were elected from the four districts, to wit: L. C. Gause, W. F. Slemons, W. W. Wilshire and T. M. Gunter. In some of the districts a feeble opposition was presented, but the majorities given the Democratic candidates were overwhelming.

GARLAND'S ADMINISTRATION

Augustus Hill Garland, eleventh governor of the State of Arkansas, was born in Tipton County, Tennessee, June 11, 1832. When he was about a year old his parents removed to Arkansas and located on the Red River, in the eastern part of Miller County. There the father died after a few months and the mother, with her four children—John, Rufus K., Elizabeth and Augustus—removed to Spring Hill, Hempstead County. About 1844 they removed to Washington, the county seat of Hempstead, where Augustus was prepared for college in the private school of H. R. Banks. At the age of fourteen he was sent to Bardstown, Kentucky, and there he pursued his academic studies in the Catholic colleges of St. Mary and St. Joseph. Upon completing the course, he returned to Arkansas and for one year taught school in Sevier County.

In the meantime his mother had married Thomas Hubbard, with whom Augustus took up the study of law and in 1853 he was admitted to the bar. The same year he married Miss Virginia Sanders, daughter of Simon T. Sanders, who served as clerk of Hempstead County for thirty years. Mr. Garland began the practice of his profession in Washington, but in 1856, he became a resident of Little Rock. He was admitted to practice in the Supreme Court of the United States in 1860; was elected a delegate to the state convention of 1861, and, although opposed to secession, acquiesced in the will of the majority. He was one of the five delegates to the provisional Confederate Congress, which met at Montgomery, Alabama, in May, 1861, and continued a member of that Congress until the close of the war, the last six months as senator. He then resumed the practice of law at Little Rock, but under the act of Congress of January 24, 1865, all attorneys who had aided and abetted the Southern Confederacy were prohibited from practicing, unless they would take what was called "the iron-clad oath." Mr. Garland opposed this law, on the grounds that it was "ex post facto" in its application, and the United States Supreme Court finally decided in his favor.

Mr. Garland was elected governor in 1874, the first under the new constitution, and held the office for two years. In 1877 he was elected United States senator to succeed Powell Clayton. At the expiration of his term he was re-

elected for the term beginning on March 4, 1883. He served only a little over a year of his second term, when President Cleveland appointed him attorney-general of the United States—the only Arkansan ever to hold a cabinet position. At the close of Mr. Cleveland's term in March, 1889, Mr. Garland returned to Arkansas and practiced law until his death. On January 26, 1899, while making an argument before the United States Supreme Court, he was stricken with apoplexy and died in the court room a few minutes later. His body was brought to Little Rock and buried in Mount Holly Cemetery, by the side of his wife, who died in 1877. In 1908 the "Arkansas Gazette" started a movement to erect a suitable monument over Mr. Garland's resting place. The people of Arkansas, as well as Mr. Garland's friends in other states, responded liberally and the monument—one of the most imposing in the cemetery—was dedicated about a year later.

Mr. Garland was a man of plain manners and simple tastes. Some years before his death he purchased a plantation of 12,000 acres, about twelve miles from Little Rock, and conferred upon it the homely name of "Hominy Hill." While serving as attorney-general, he often told his friends in Washington that "Hominy Hill" was a more congenial place than the most palatial home in the national capital.

TWENTIETH LEGISLATURE

Section 22 of the Schedule adopted by the constitutional convention provided that the first session of the Legislature under the new organic law should commence on Tuesday after the second Monday in November, 1874. Accordingly, the twentieth regular General Assembly began its session on November 10, 1874. Bradley Bunch was elected president of the senate, and A. A. Pennington, speaker of the house. The "Gazette" of November 13, 1874, said editorially:

"Without ceremony and unexpected to the general public, Gov. A. H. Garland and the other state officers elected on the ticket with him, qualified and entered on the discharge of their duties about 9 o'clock yesterday morning. Owing to the many rumors which were afloat, this course was adopted as the best. Everybody was taken by surprise, particularly the McClure-Clayton party, who expected to see a great demonstration of some kind.

"The new government is now in full operation. Garland is governor and all the officers elected by the people are installed. 'Regnant Populi!' "

The rumors referred to by the "Gazette" were to the effect that a movement of some kind was on foot to prevent Governor Garland's inauguration, and even vague hints of assassination were heard. One of the leaders in this movement was Volney V. Smith, who had served as lieutenant-governor under the Baxter administration. As soon as Smith learned that Garland had been installed in office, he issued a proclamation setting forth that Governor Baxter had abdicated and abandoned the office of governor, and that said office was in possession of one A. H. Garland. He then went on to claim that the constitution of 1874 was illegal, because it had not been adopted according to the method prescribed in the constitution of 1868.

"I shall not attempt," said he, "to oust Mr. Garland from the executive office by force, unless the President of the United States recognizes me as the

governor of the state. If, after recognition by the President, Mr. Garland should refuse to yield possession of the state government, I shall feel called upon to act promptly to vindicate and restore the lawful authority (?) of the state."

The proclamation was dated November 13, 1874. Printed copies were distributed on the streets by newsboys on Saturday, the 14th. It is a significant fact that the radical papers of Chicago, Philadelphia, New York and other northern cities published outlines of the proclamation the day before it made its appearance in Little Rock. One of the copies fell into the hands of Governor Garland, who, on the 16th, sent to the Legislature the following

SPECIAL MESSAGE

"At a late hour on the 14th instant, I was put in possession of a printed paper purporting to be a proclamation by V. V. Smith, announcing that he was the governor of Arkansas, and commanding those now rightfully occupying the several departments of the state government to quit and surrender the same within five days. I present with this one of the printed papers alluded to. This paper seems to be attested by Edward Wheeler, claiming to be secretary of state.

"Immediately on reading this document, I caused warrants of arrest to be issued before Hon. John J. Clendennin, judge of the Sixth judicial circuit, against said Smith, Wheeler and John J. Price, supposed to be engaged with said Smith and Wheeler in a conspiracy to seize, usurp and overthrow the state government.

"The sheriff of Pulaski County arrested Price, and he is now before the judge of said circuit to be dealt with according to law. It has been made known to me officially that the said Smith and Wheeler have not been arrested, and they are supposed to be secreting themselves and cannot be found. I have concluded to offer a reward for their arrest at once, but under the law I cannot offer a larger sum than $200. I think it important to have a higher reward than this offered, if possible, and would respectfully recommend the law to be so amended at an early day that I can do this in a manner commensurate with the grave offense with which those parties are charged.

"I not only make this suggestion to the Legislature, but I place this whole matter, with my action, before you, that in all things you may take such course as you deem best to put down this attempt to overthrow the government; I shall without the least delay use all the power I have to suppress and put an end to it, let it cost what it may.

"A. H. GARLAND,
"Governor."

On the day this message was sent to the Assembly, Smith wrote to the President: "The state government is completely overthrown by the connivance of Elisha Baxter, as that of Louisiana was by Penn's militia. It is true that the revolution by which it was accomplished was bloodless, but it was just as effectually done as though it had cost a thousand lives. Baxter himself used the office of governor to organize the present revolutionary government. When Baxter ceased to act, he yielded the office to a person (Garland) who was the head of the new government, backed by a well-armed militia. * * * It is

because I am powerless that I appeal to you for aid. I desire to know from you, whether I will be regarded as the rightful executive of a lawful government, or as being guilty of treason against it."

Smith's statement that Garland was "backed by a well-armed militia," certainly required a great stretch of imagination, to say the least of it. That the militia was disbanded by Governor Baxter in May, 1874, is a matter of record. But President Grant had sent Federal troops into Louisiana to sustain the Kellogg government against that set up by Penn, and Smith was hopeful that a similar course would be pursued by the President in Arkansas. In such cases the exact truth was a small matter with the advocates of reconstruction along the lines laid down by Congress.

Why should Smith, Clayton, McClure and others of that party manifest such an interest in holding control of the state government? The question is not difficult to answer. An investigation of the financial condition of the state was ordered by the Legislature and the results were embodied in a joint resolution, adopted January 18, 1875, showing that when Governor Clayton was inaugurated on July 2, 1868, the bonded debt of the state was $3,252,401.50 and there was a cash balance in the treasury of $319,237.35. When Garland came into office the debt was $17,302,677.14 and the treasury was empty. During the six years from 1868 to 1874, the annual cost of maintaining the state government was over one million dollars—at least three times as much as it should have cost. Arkansas was "the goose that laid golden eggs" and the gang did not want to lose possession of the goose.

It may seem strange to the reader that Smith was elected a delegate from Lafayette County to the constitutional convention of 1874 and took part in its proceedings before he found out that the whole business was illegal. The only plausible explanation of his conduct is that he did not hear from Senator Clayton until near the close of the convention. Then he felt that he had to do the bidding of his master and refused to sign the constitution. When he set up his claim to the governor's office, his own party papers gave him only a perfunctory support and the Democratic papers made all sorts of fun of his pretensions. His initials being "V. V.," he was dubbed "Wee Wee" Smith. He succeeded in escaping arrest and when President Grant ordered him to "keep hands off" his following deserted him entirely. Grant soon afterward appointed him consul to the Island of St. Thomas and he left Arkansas.

During the first session of the twentieth Legislature Miller County was reëstablished; an appropriation of $1,577 was made to reimburse William E. Woodruff, who had advanced that amount for cannon, harness, etc., used in the Brooks-Baxter war; bonds to the amount of $80,000 were authorized, to pay the militia organized by Governor Baxter; to encourage industry, manufacturers of cotton and woolen goods, farming implements, cotton seed oil and leather, and smelting furnaces were exempted from taxation for a period of seven years, provided each establishment claiming exemption had a capital of $2,000 or more invested; the amount of reward that could be offered by the governor, in cases of felony, was increased to $1,000; a vote of thanks was given Governor Baxter, and a joint resolution indorsed the action of Governor Garland in the Smith matter. The session adjourned on March 5, 1875, to meet again on the 1st of the following November.

ADJOURNED SESSION

At the opening of the adjourned session on November 1, 1875, Governor Garland gave a careful review of the state's financial condition and of the public institutions in his message. He recommended an appropriation for an exhibit of the state's products at the Centennial Exposition, to be held in Philadelphia in the summer of 1876. He also suggested that it would be advisable to change the time of the state election from the first Monday in September to the Tuesday after the first Monday in November, when Congressmen were elected, as it would save the expense of one election.

The most important acts of the adjourned session were: To provide for the incorporation of fair associations; to establish courts of common pleas in certain counties; to fix the time of holding the sessions of the General Assembly on the second Monday in January, 1877, and on the same day every two years thereafter; to repeal the Ku-klux law; to redistrict the state for Congressional purposes; to authorize a loan for the current expenses of the state government; to appropriate $15,000 for a proper representation of the state at the Centennial Exposition; and to change the name of Sarber County to Logan.

CAMPAIGN OF 1876

While Congress was engaged in passing acts for the reconstruction of the rebel states, no legislation was enacted for the reform of a disordered currency, which was so inflated that an era of speculation followed the war, resulting in the great financial panic of 1873. This was followed by a season of "hard times," which is always productive of political discontent, and in 1874 the Democrats elected a majority of the national House of Representatives. The success of 1874, and the rumor that General Grant would be a candidate for a third term, encouraged the Democracy of the country to put forth a strong effort to elect a President in 1876. The party leaders, however, were in no hurry, to nominate candidates for President and Vice President, so that the Democratic national convention was the last one to be held.

The first national convention was that of the Prohibitionists, which met in Cleveland, Ohio, on May 17, 1876, and nominated Green Clay Smith, of Kentucky, for President, and Gideon T. Stewart, of Ohio, for Vice President.

On May 18, 1876, the first national convention of the National, or Greenback party, was held at Indianapolis, Indiana. Peter Cooper, of New York, was nominated for President, and Samuel F. Cary, of Ohio, for Vice President. The platform demanded the "immediate and unconditional repeal of the specie resumption act of January 14, 1875," and protested against the "further issue of gold bonds, for sale in foreign markets, by which we would be made, for a long period, hewers of wood and drawers of water for foreigners," etc.

The Republican convention assembled in Cincinnati, Ohio, June 14th. James G. Blaine led on the first ballot, with 285 votes. On the seventh ballot Rutherford B. Hayes, of Ohio, was nominated for President, and William A. Wheeler, of New York, was nominated for Vice President, only one ballot being necessary. The platform pledged the party to "the permanent pacification of the Southern section of the Union; charged the Democratic party with being the same in

character and spirit as when it was in sympathy with treason;" and warned the country against trusting a party "thus alike unworthy, recreant and incapable."

The Democratic national convention met in St. Louis on June 28, 1876. Samuel J. Tilden, of New York, was nominated for President on the second ballot, and Thomas A. Hendricks, of Indiana, was nominated for Vice President without opposition. The Republican party was denounced for increasing Federal taxation from $60,000,000 in 1860 to $450,000,000 in 1870, "or in one decade from less than five dollars per head to more than eighteen dollars per head." The platform demanded a thorough and radical reform in all branches of the General Government. "Tilden and Reform" was the party slogan during the campaign.

ARKANSAS STATE ELECTION

Section 8, Article III, of the constitution provided that "The general elections shall be held biennially, on the first Monday of September; but the General Assembly may be law fix a different time." The Assembly of 1874-75 did not see fit to act upon Governor Garland's recommendation to change the time to the Tuesday after the first Monday in November, hence, the first biennial election under the new constitution was held on September 4, 1876.

The Democratic party was the first to nominate candidates for the various state offices. A state convention at Little Rock on June 14, 1876, placed the following ticket in the field: William R. Miller, for governor; Benton B. Beavers, secretary of state; John Crawford, auditor; Thomas J. Churchill, treasurer; William F. Henderson, attorney-general; George W. Hill, superintendent of public instruction; J. N. Smithee, commissioner of state lands.

The Republican state convention met at Little Rock on the 9th of August and was called to order by Senator Stephen W. Dorsey. Two factions were striving for the mastery. One led by Clayton, Dorsey and McClure called themselves the "legitimates," and the other, composed of men who had grown tired of the Clayton policies, called themselves the "New Deal Republicans." The former controlled the convention and, by what has since become known as "steam roller" methods, nominated a ticket. Joseph Brooks was named for governor, but it was soon discovered that he was not satisfactory to the "new dealers," and Gen. A. W. Bishop was substituted. The ticket as finally presented to the voters for their support was as follows: A. W. Bishop, governer; J. H. Johnson (colored), secretary of state; H. A. Miller, auditor; Nicholas Straub, treasurer; Thomas H. Barnes, attorney-general; William H. Gillam, superintendent of public instruction; W. P. McDonald, commissioner of state lands.

At the election on September 4th, the entire Democratic ticket was elected. The vote for governor stood, Miller, 70,425; Bishop, 38,208. The other candidates were elected by similar majorities.

The presidential election was held on November 7, 1876. Tilden and Hendricks received 58,071 votes; Hayes and Wheeler, 38,699; Cooper and Cary, 289, and the Prohibition candidates did not receive a vote. Four Democratic congressmen were elected—L. C. Gause, W. F. Slemons, Jordan E. Cravens and Thomas M. Gunter.

CHAPTER XVI

FROM MILLER TO HUGHES

GOVERNOR WILLIAM R. MILLER—TWENTY-FIRST LEGISLATURE—CAMPAIGN OF 1878—TWENTY-SECOND LEGISLATURE—ELECTIONS OF 1880—VOTE ON THE AMENDMENT TO THE CONSTITUTION—CHURCHILL'S ADMINISTRATION—TWENTY-THIRD LEGISLATURE—CAMPAIGN OF 1882—BERRY'S ADMINISTRATION—TWENTY-FOURTH LEGISLATURE—CAMPAIGN OF 1884—ARKANSAS STATE ELECTION—HUGHES' ADMINISTRATION—TWENTY-FIFTH LEGISLATURE—ELECTIONS OF 1886—TWENTY-SIXTH LEGISLATURE—CAMPAIGN OF 1888—STATE TICKETS—VOTE ON THE LICENSE QUESTION.

William Reed Miller, the twelfth governor of the State of Arkansas, was a member of one of the prominent pioneer families and was the first native Arkansan to be elected to the office of chief executive. His grandfather, Simon Miller, came to Arkansas from Virginia in 1814, while it was a part of Missouri Territory. With him came his son John, the father of William R., who was born in Bedford County, Virginia, in 1787. He married Miss Clara Moore, a native of Vermont, and became an active participant in political affairs about the time Arkansas was admitted into the Union. In 1840 he was one of the Democratic presidential electors and voted for Martin Van Buren. From 1846 to 1848 he was register of the United States land office at Batesville.

William R. Miller was born at Batesville, Independence County, November 27, 1823. Until he was twenty-one years of age he lived on the farm, attending school as opportunity offered, though much of his early education was acquired under the teaching of his mother, who was a well educated woman and devoted to her children. "Billy," as he was commonly called, was an ambitious youngster, and somewhat precocious withal. An instance of his precocity is cited in connection with the political campaign of 1836. Billy, then a boy of thirteen years, saw C. F. M. Noland, an enthusiastic Whig, on the street in Batesville and shouted: "Hurrah for Van Buren!" To this Mr. Noland replied: "Hurrah for a jackass!" The boy promptly came back with "That's right, Fent, you holler for your candidate and I'll holler for mine."

Some of the neighbors predicted that Billy Miller would "come to some bad end," while others scoffed at the idea and declared that "Billy Miller will be governor." Back of all his boyish pranks, that caused the more sedate of Batesville's inhabitants to regard him as a "holy terror," there was a determination to succeed. By a close application to his studies and making the most of his opportunities, he acquired a practical education. In 1848, when only twenty-five years of age, he was elected clerk of Independence County and served until 1854, when Gov. Elias N. Conway appointed him state auditor to fill the vacancy caused by the resignation of C. C. Danley. The next year he was appointed by Governor Conway accountant of the Real Estate Bank. In that position he demonstrated not only his skill as a bookkeeper, but also his sterling integrity.

In 1856 he was elected state auditor and was reëlected at each succeeding biennial election until 1864. He did not serve the last of these terms, because the Murphy government was established in April, 1864, and he turned the office over to James R. Berry. Two years later he defeated Mr. Berry and served until ousted under the constitution of 1868. He was then admitted to the bar and practiced law at Batesville until 1874, when he was again elected state auditor. In 1876 he was elected governor and was reëlected in 1878, serving two full terms, or four years in all. Upon retiring from the governor's office he returned to Batesville and made his home there until again elected state auditor in 1886. He died on November 29, 1887, before the expiration of his term.

On January 27, 1849, Governor Miller married Miss Susan E. Bevens, daughter of Judge William C. Bevens, of Batesville, and to this union were born two sons and five daughters.

TWENTY-FIRST LEGISLATURE

The twenty-first regular session of the General Assembly commenced on January 8, 1877, and continued until the 8th of the following March. James K. Jones, of Hempstead County, was president of the senate and D. L. Kilgore, of Columbia, was speaker of the house. At noon on January 11, 1877, Governor Miller was inaugurated. In his inaugural address he congratulated the people of the state upon the progress that had been made during Governor Garland's administration and said: "It is for us to see that the proud reputation which Arkansas has won for the public peace, tranquillity and a due observance of the laws shall continue to be maintained." At the conclusion of his address the oath was administered to the new state officers by Chief Justice English.

On January 16, 1877, Augustus H. Garland was elected United States senator, to succeed Powell Clayton, for the term beginning on the 4th of March following. He received 113 votes on joint ballot to 8 votes for T. D. W. Yonley. Of the eighteen Republicans in the Legislature, ten voted for Mr. Garland. Five of these were colored men. Most of the Republicans who supported Mr. Garland explained their votes, stating that the progress made by the state during the two years he was governor, warranted them in assisting to send him to the United States Senate.

This Legislature continued the policy of its predecessor, by enacting laws calculated further to restore the state to its normal condition and correct abuses that had crept in during the reconstruction era. Taxes were reduced, liberal appropriations were made for the maintenance of the public institutions, common pleas courts were established in a number of counties, the commissioner of state lands was authorized to sell the property formerly belonging to the Institute for the Blind at Arkadelphia, and counties were authorized to issue new bonds to fund outstanding indebtedness.

CAMPAIGN OF 1878

The political campaign of 1878 was a "one-sided" affair. The constitution of 1874 had brought peace to the state and the administrations of Garland and

Miller had given such general satisfaction that the Republican leaders were discouraged. A Democratic state convention was held on the 4th of July, when the following ticket was nominated: William R. Miller, for governor; Jacob Frolich, for secretary of state; John Crawford, for auditor; Thomas J. Churchill, for treasurer; William F. Henderson, for attorney-general; James L. Denton, for superintendent of public instruction; D. W. Lear, for state land commissioner; John R. Eakin, for associate justice of the Supreme Court. The twenty-first plank of the platform was as follows:

"That it is the sense of this convention that the colored people of the State of Arkansas are identified in interest with the great Democratic party of the state, and, fully recognizing the importance of a more harmonious feeling between them, embrace this opportunity of inviting them—the colored people of the state—to an active coöperation with us in furthering our common interests."

The Arkansas Gazette of July 29th published a letter from Andrew J. Chambers, one of the leading colored men of the state, to the members of his race. In this letter Mr. Chambers said: "Few, if any, colored men can withhold their votes of indorsement from Governor Miller for his wise administration. Following the example of his illustrious predecessor, Hon. A. H. Garland, he has happily continued the reign of good will ushered in under his administration. The whole state ticket is most excellent and challenges the suffrage of every patriot in the state.

"The conditions brought on by the war and the subsequent congressional legislation forced us into abnormal relations with the whites. Having been betrayed by a faithless Cleopatra, we return to our lawful spouse, never again to part. In the future we should heartily and cheerfully cooperate with the Democracy, inasmuch as we know our labor will not be in vain. * * * If we have any grievance, let us seek redress through our natural allies and protectors—the whites of the South. They will not make 'Banks' for the 'Freedmen' to deposit their earnings in and then infamously rob the bank. On this twenty-first plank let all hands get together and 'pull for the shore' of permanent mental, moral and social prosperity."

This attitude on the part of colored leaders, and the general "good feeling" toward Governor Miller, caused the Republican party to refrain from nominating any candidates for state offices. A Greenback state convention met at Little Rock on the 20th of July. It was rumored that ex-Gov. Henry M. Rector would accept the nomination for governor. In a letter made public a short time before the convention, Mr. Rector, while indorsing the Greenback principles, declared his allegiance to the Democratic party. There were too many men in the convention who had formerly been actively identified as Republicans to win the general confidence and it adjourned without naming candidates. At the election on September 2, 1878, Governor Miller received every one of the 88,730 votes cast. Four Democratic congressmen were elected, viz.: Poindexter Dunn, William F. Slemons, Jordan E. Cravens and Thomas M. Gunter.

TWENTY-SECOND LEGISLATURE

On January 13, 1879, the two houses of the General Assembly met in the capitol for the twenty-second regular session. The senate elected M. M. Duffie

president, and J. T. Bearden was chosen speaker of the house. On the 17th Governor Miller was inaugurated for his second term. One of the duties devolving upon this Assembly was to elect a United States senator to succeed Stephen W. Dorsey. R. W. Johnson, J. D. Walker, M. L. Bell, Elisha Baxter and A. W. Bishop were placed in nomination. Seven ballots were required to elect. On the seventh J. D. Walker received sixty-eight votes, six more than the necessary majority, and was declared elected.

Several acts to encourage the building of railroads were passed at this session, to wit: Certain swamp and overflowed lands, forfeited to the state for non-payment of taxes, situated in the counties of Calhoun, Clark, Dallas and Ouachita, were donated to the Ouachita Valley Railroad Company, to aid in the construction of a railway from Arkadelphia to a point on the Ouachita River opposite Camden. All forfeited lands in Hempstead County were donated to the Washington & Hope Railroad Company. The forfeited lands in Benton, Madison and Washington counties were donated "to any railroad company now formed, who will first complete a railroad from the north boundary line of the state to the City of Fayetteville." Lands lying in Cross, Lee, Phillips and Poinsett counties, forfeited to the state for non-payment of taxes were donated to the Iron Mountain & Helena Railroad Company. All lands in the even numbered sections in the counties of Drew, Lincoln and Jefferson, forfeited to the state prior to the year 1877, and all swamp and overflowed lands in the counties of Ashley and Lonoke, were donated to the Pine Bluff & Monroe Railroad Company, provided a certain amount of road was completed by the first day of January, 1883. Forfeited lands in the counties of Drew, Lincoln and Jefferson, as well as certain other lands belonging to the state, were donated to the Little Rock, Mississippi River & Texas Railway Company. All these donations were made under prescribed conditions.

Clark County was abolished by this Legislature and the territory attached to the counties of Dallas and Nevada. The state was redistricted for the election of representatives in Congress. A change was made in the law regulating the manner in which amendments to the constitution should be proposed. County courts were authorized to divide the lands subject to overflow into levee districts and provide for the building and repair of levees, and provisions were made for the reduction of the outstanding liabilities of the state.

The most important and far-reaching act of the session was the proposed amendment to the constitution prohibiting the General Assembly from levying a tax or making any appropriation to pay the principal or interest of the "Funding Bonds," sometimes called the "Holford Bonds," and certain other bonds. This amendment, proposed by joint resolution, became effective without the signature of the governor, because the Assembly adjourned soon after its adoption and Governor Miller failed to return it with his objections, if he had any, to the secretary of state within the specified twenty days after the adjournment. (See chapter on Financial History.)

ELECTIONS OF 1880

In the national campaign of 1880 the Republican party was the first to hold a convention. It met in Chicago on the 2nd of June. The element in the

party afterward known as the "Old Guard" made its appearance in this convention and was composed of 304 delegates who voted for ex-President Ulysses S. Grant on each of the thirty-six ballots. James G. Blaine was a close second, having 284 votes on the first ballot and 257 on the thirty-fifth. On the thirty-sixth ballot James A. Garfield, of Ohio, was nominated, and Chester A. Arthur was named for Vice President on the first and only ballot. The platform contained the following declaration:

"The dangers of a solid South can only be averted by a faithful performance of every promise which the nation has made to the citizen. The execution of laws and the punishment of those who violate them are the only safe methods by which an enduring peace can be secured and genuine prosperity established throughout the South. The solid South must be divided by the peaceful agency of the ballot, and all opinions must there find free expression, and to this end the honest voter must be protected against terrorism, violence and fraud."

On the 9th of June the Greenback national convention met in Chicago. James B. Weaver, of Iowa, was nominated for President, and B. J. Chambers, of Texas, for Vice President. The principal plank of the platform was that declaring: "That the right to make and issue money is a sovereign power to be maintained by the people for the common benefit. All money, whether metallic or paper, should be issued and its volume controlled by the government, and not by or through banking corporations, and, when so issued should be a full legal tender for all debts, public and private."

The Prohibition national convention met in Cleveland, Ohio, on the 17th of June. Only twelve states were represented by delegates. Neal Dow, of Maine, was nominated for President, and A. M. Thompson, of Ohio, for Vice President.

The Democratic national convention was held in Cincinnati, beginning on the 22nd of June. A large majority of the delegates favored the nomination of Samuel J. Tilden for President, firmly believing that Mr. Tilden had been fairly elected in 1876, but was counted out by the electoral commission. Mr. Tilden "renounced" the nomination in a letter to the convention and on the second ballot Gen. Winfield S. Hancock, of Pennsylvania, was nominated. For Vice President, William H. English, of Indiana, was nominated by acclamation. The platform declared in favor of "home rule, honest money, consisting of gold and silver, and paper convertible into coin on demand; a tariff for revenue only, and the subordination of the military to the civil power." It denounced the "great fraud of 1876-77," which declared Hayes elected President, and declared in favor of "public money and public credit for public purposes only, and public lands for actual settlers."

The Arkansas Democratic state convention met at Little Rock on June 2, 1880. On the first ballot for governor the votes stood: Thomas J. Churchill, 98; William R. Miller, 65; A. M. Wilson, 43; W. M. Fishback, 6; J. N. Smithee, 4; W. P. Grace, 8; M. M. Duffie, 2. General Churchill was nominated on the twenty-fourth ballot. The rest of the ticket was as follows: Jacob Frolich, secretary of state; John Crawford, auditor; William E. Woodruff, Jr., treasurer; Charles B. Moore, attorney-general; James L. Denton, superintendent of public instruction; D. W. Lear, commissioner of state lands; Elbert H. English, chief justice of the Supreme Court. On the subject of the constitutional amendment, the platform said:

"We indorse the action of the Democratic state convention assembled in 1878 in recommending the submission of the question of our state's bonded indebtedness to the people providing for an amendment to our state constitution, as also the action of our State Legislature of 1879 in submitting the same to the people, and we do not now regard this question as a political one, and remit the same to the people to be voted on by them at the approaching election, irrespective of party."

On June 16, 1880, the Greenback state convention assembled in the state capitol at Little Rock. W. P. Parks was nominated for governor; C. E. Tobey, for secretary of state; C. E. Cunningham, for auditor; W. A. Watson, for treasurer; George Sibley, for attorney-general; Peter Brugman, for superintendent of public instruction; Wilshire Riley, for commissioner of state lands; J. C. Davis, for chief justice of the Supreme Court. This ticket was supported by the Republicans of the state.

At the state election on September 6, 1880, Churchill received 84,088 votes, and Parks received 31,284. The other Democratic candidates were elected by similar majorities. The presidential election occurred on November 2, 1880. Hancock and English carried the state, receiving 60,775 votes. Garfield and Arthur received 42,436, and Weaver and Chambers received 4,079.

VOTE ON THE AMENDMENT

The canvassing board, composed of Governor William R. Miller, Secretary of State Jacob Frolich, and Attorney-General William F. Henderson, made its report on October 23, 1880, showing that the amendment was defeated by 3,991 votes. The board's analysis of the vote was as follows:

Number of votes for the amendment	64,497
Number of votes against the amendment	41,049
Total vote cast at the election	132,985
Difference between total vote and that cast for the amendment	68,488
Deduct vote for the amendment	64,497
Majority against the amendment	3,991

Friends of the amendment claimed that the majority against it as shown by the board was too large. There were some grounds for this opinion. Section 22, Article XIX, of the constitution provides that any amendment submitted to the people shall receive a majority of all the votes cast at the election. The total vote in September, 1880, was 132,985, as above stated. Of that vote the smallest number constituting a majority would have been 66,493—a majority of only one vote. Subtracting 64,497, the number of votes cast for the amendment, from 66,493, the smallest possible majority of all the votes cast, leaves 1,996 instead of 3,991. Had the amendment received that 1,996 votes more, it would have been carried.

CHURCHILL'S ADMINISTRATION

Thomas James Churchill, thirteenth governor of the State of Arkansas, was born near Louisville, Kentucky, March 10, 1824. He was educated in the common schools of his native state and at St. Mary's College, Bardstown, Kentucky, where he was graduated in 1844. He then took the law course in Transylvania University, Lexington, Kentucky. When war against Mexico was declared in 1846, he enlisted as a lieutenant in the First Kentucky Mounted Riflemen, commanded by Col. Humphrey Marshall. In Janaury, 1847, he was one of a scouting party captured near Encarnacion and taken to the City of Mexico. When Gen. Winfield Scott was advancing upon the Mexican capital, the prisoners there were taken to Toluca, about fifty miles southwest of the city, and were there exchanged, but not until the war was practically over.

Lieutenant Churchill then settled in Little Rock. On the last day of July, 1849, he married Miss Ann daughter of Ambrose H. Sevier, and after his marriage turned his attention to planting on a large plantation near the city. In 1857 he was appointed postmaster at Little Rock by President Buchanan and held the position until 1861. At the beginning of the Civil war he raised a regiment of cavalry, which was mustered into the Confederate service as the First Arkansas Mounted Riflemen, and of which he was made colonel. He served with distinction to the close of the war and by successive promotions reached the rank of major-general.

In the Brooks-Baxter war of 1874 he was active in his support of Governor Baxter and in the fall of that year was elected state treasurer. This office he held for three successive terms and in 1880 was elected governor. He served but one term as governor, at the close of which he retired to private life. He died at Little Rock on March 10, 1905, the eighty-first anniversary of his birth.

TWENTY-THIRD LEGISLATURE

The twenty-third General Assembly met on January 10, 1881, and continued in session until the 19th of March. Henry C. Tipton, of Izard County, was elected president of the senate, and George Thornburgh, of Lawrence, speaker of the house. On the 13th Governor Churchill was inaugurated. He was escorted to the capitol by a band of music, the Capital City and Quapaw Guards, and the oath of office was administered by Chief Justice English. Governor Churchill's inaugural address, which was largely in the nature of a message to the joint session, recommended legislation to encourage immigration; the improvement of the public school system; the establishment of an insane asylum; a revision of the revenue laws, and an appropriation to pay the people of Arkansas for property taken by Clayton's militia. A ball was given in the evening.

The failure of the constitutional amendment, submitting the question of the state debt to the people, caused the Legislature of 1881 to pass an act providing: "That from and after the passage of this act, the auditor and treasurer of state are not required to report the Railroad Aid and Levee Bonds, and what are known as the Holford Bonds, as part of the indebtedness of the State of Arkansas in their biennial reports."

This act became a law without the governor's signature and because he failed to file the same with his objections in the office of the secretary of state within twenty days after the adjournment of the Legislature. Other important acts of the session were: Appropriating $150,000 for an insane asylum and levying a one-mill tax for two years to raise that amount; appropriating $10,000 for a branch normal school at Pine Bluff; regulating the practice of medicine; creating a state board of health; establishing a medical department of the University of Arkansas; and regulating the freight and passenger rates on railroads of fifty miles or less within the state. A joint resolution favoring a farmers' congress, suggesting that it be held in St. Louis, Missouri, in October, 1881, and authorizing the governor to appoint one delegate from each of the congressional districts, was adopted. Another resolution settled the question of the pronunciation of the name of the state, by providing that it "should be pronounced in three syllables, with the final 's' silent, the 'a' in each syllable with the italian sound, and the accent on the first and last syllables."

CAMPAIGN OF 1882

Three tickets were placed in the field in 1882. The Democrats held a state convention at Little Rock on the 21st of June and nominated the following candidates for state officers: James H. Berry, governor; Jacob Frolich, secretary of state; A. W. Files, auditor; William E. Woodruff, Jr., treasurer; Charles B. Moore, attorney-general; James L. Denton, superintendent of public instruction; W. W. Smith, associate justice of the Supreme Court; Wood P. Campbell, land commissioner; C. R. Breckinridge, congressman at large. The following was one plank of the platform:

"Resolved, That it is the duty of the next Legislature to submit an amendment to the constitution of the State of Arkansas which will forever prohibit the payment, compromising, funding or otherwise recognizing the fraudulent railroad aid, levee or Holford bonds of the State of Arkansas, or claims or pretended claims upon which they are based."

On the same day of the Democratic state convention the Greenbackers also held a state convention in Little Rock. Rufus K. Garland was nominated for governor; C. E. Tobey, for secretary of state; H. P. Barry, for auditor; B. P. Baker, for superintendent of public instruction; Charles E. Cunningham, for congressman at large. No nominations were made for state treasurer, attorney-general, land commissioner and judge of the Supreme Court. On the subject of the constitutional amendment, the platform declared:

"We are uncompromisingly in favor of the proposed amendment No. 1 (known as the Fishback amendment) to our state constitution, and believe that the best way to secure its adoption and to keep the ballots of the people from the hands of a 'returning board' who are in the interest of the bond ring, would be to call a constitutional convention."

The Republican state convention was held in Little Rock on the 7th of July. The candidates nominated by this convention were: W. D. Slack, for governor; A. A. Tufts, for secretary of state; J. M. McClintock, for auditor; Charles A. Waterhouse, for treasurer; T. M. Gibson, for attorney-general; J. H. Johnson (colored), for land commissioner; R. H. Parham, for superintendent of public instruction; W. N. May, for associate justice of the Supreme Court.

One change was made in the personnel of the Democratic ticket. James L. Denton declined the nomination for superintendent of public instruction and W. E. Thompson was selected to fill the vacancy. At the state election on September 4, 1882, the vote for governor was as follows: Berry, 87,675; Slack, 49,352; Garland, 10,142. All the Democratic candidates were elected by substantially the same pluralities. Five Democratic congressmen were elected on November 7, 1882, viz.: C. E. Breckinridge (at large), Poindexter Dunn, James K. Jones, John H. Rogers and Samuel W. Peel.

BERRY'S ADMINISTRATION

James Henderson Berry, fourteenth state governor of Arkansas, was born in Jackson County, Alabama, May 15, 1841, son of James M. and Isabella (Orr) Berry. In 1848 he came with his parents to Arkansas. They settled on the site of what is now Berryville, one of the county seats of Carroll County. He was educated in the common schools and at Berryville Academy. Upon leaving school he clerked in a store for some time. At the beginning of the Civil war he enlisted in Company E, Sixteenth Arkansas Infantry, and was commissioned second lieutenant. At the battle of Corinth, Mississippi, October 4, 1862, he lost a leg and was honorably discharged.

Returning to Arkansas he taught school at Ozark and occupied his spare time in the study of law. In October, 1866, he was admitted to practice by Thomas Boles, judge of the Fourth Circuit, and the same year he was elected one of the representatives from Carroll County to the Legislature. In December, 1869, he removed to Bentonville, where he formed a law partnership with his brother-in-law, Samuel W. Peel. In 1872 he was again elected to the Legislature from the district composed of Benton and Washington counties, and in the extra session of 1874 he was chosen speaker of the house.

Mr. Berry was elected judge of the Fourth Circuit in 1878 and served on the bench until elected governor in 1882. When A. H. Garland was appointed attorney-general of the United States in March, 1885, Mr. Berry was elected United States senator for the unexpired term. He was reelected senator in 1889, 1895 and 1901, but was defeated by Jefferson Davis in 1907.

In October, 1865, Mr. Berry married Miss Lizzie Quaile, daughter of Frederick Quaile, of Ozark. Her father was opposed to the marriage, because his prospective son-in-law had no means of support, and for several years would not speak to him, but friendly relations were finally restored. Mr. Berry died at his home in Bentonville on January 30, 1913, leaving a widow, two sons and two daughters.

TWENTY-FOURTH LEGISLATURE

The regular session of the Twenty-fourth General Assembly began on January 8, 1883, and continued until the 28th of March. J. B. Judkins, representing the district composed of Lawrence, Randolph and Sharp counties, was elected president of the senate, and W. C. Braley, of Washington County, was chosen speaker of the house. On the 13th Governor Berry was inaugurated. A large part of his message was devoted to the proposed constitutional amendment concerning the state debt. On this subject he said:

"The fact that there are outstanding bonds representing $13,000,000, which are claimed by the holders to be valid obligation of the state, and which are believed by a large portion of our people to be fraudulent and void, has proven a constant source of annoyance and embarrassment. It has kept immigrants from our borders, has engendered bad feeling between our citizens, and has prevented the state from making provision for the payment of interest on other securities admitted to be just. The best interests of the people demand that the question of the state's liability for these bonds be definitely settled. If they constitute a just claim, we ought to provide for their ultimate payment. If they are not a legitimate charge against the state, and we do not intend to pay them, common fairness requires us to say so, and say it in such manner that we cannot be misunderstood. * * * In a matter of this magnitude it seems to me eminently proper that the question should be withdrawn from the General Assembly and placed directly before the people, by submitting to them, for ratification or rejection, an amendment to the constitution, forever prohibiting the levying of any tax for the payment of any portion of the railroad aid, the levee or Holford bonds or pretended claim upon which they are based."

He also recommended the enactment of a revenue law "that will compel assessors to assess all of the property of the state at its true value; that will impose upon railroad property its just proportion of taxes, for the benefit of all; that will prevent tax-dodging; that will require prompt collection and settlement by collectors, and that will make it impossible for state officers to grant privileges and indulgences to collectors not authorized by law."

On January 30, 1883, Governor Berry approved a joint resolution resubmitting to the people the so-called "Fishback Amendment" to the state constitution, to be voted on at the state election in September, 1884. Cleburne County (the last of the seventy-five counties in the state) was created by this Legislature; a new revenue law was passed; the thirty-first senatorial district was created—composed of Garland and Montgomery counties; the state was divided into five congressional districts; provision was made for revising and digesting the statutes; the sum of $750 was appropriated to defray the expenses of Charles Wallace as the representative of Arkansas at the Louisville Exposition in the fall of 1883; and an appropriation of $3,000 was made to provide for an exhibit of the state's products at the Cotton Centennial Exposition, to be held in New Orleans in 1884.

CAMPAIGN OF 1884

The first national convention of 1884 was that of a new organization called the "Anti-Monopoly party." It met in Chicago on the 14th of May and nominated Benjamin F. Butler, of Massachusetts, for President. The nomination of a candidate for vice president was left with the national committee, who adopted the candidate of the Greenback party—Alanson M. West, of Mississippi. The platform declared that all corporations should be controlled by law; that the payment of the bonded debt of the United States should be paid as it falls due; that United States senators should be elected by direct vote of the people; and that no further grants of public lands should be made to corporations.

On May 28, 1884, the Greenback national convention met at Indianapolis,

Indiana. It indorsed the nomination of General Butler and named Alanson M. West for vice president. The platform "pointed with pride" to the fact that the party had forced the remonetization of the silver dollar and prevented the refunding of the public debt into long time bonds; demanded congressional regulation of interstate commerce; and favored a graduated income tax.

The Republican national convention met in Chicago on the 3d of June. James G. Blaine, of Maine, was nominated for President on the fourth ballot, and John A. Logan, of Illinois, was named for vice president. The platform was largely composed of generalities. The party pledged itself to correct the irregularities of the tariff and reduce the surplus in the national treasury, urged that an effort be made to unite all commercial nations in the establishment of an international standard which would fix the ratio of gold and silver coinage; declared that public lands should be reserved, as far as possible, for actual settlers.

The Democratic national convention met in Chicago on the 8th of July. Grover Cleveland, of New York, was nominated for President on the second ballot, and Thomas A. Hendricks, of Indiana for vice president. The platform declared: "The Republican party, so far as principle is concerned, is a reminiscence. In practice it is an organization for enriching those who control its machinery. The frauds and jobbery which have been brought to light in every department of the Government are sufficient to have called for reform within the Republican party; yet those in authority, made reckless by the long possession of power, have succumbed to its corrupting influence, and have placed in nomination a ticket against which the independent portion of the party is in open revolt. Therefore a change is demanded."

On July 23, 1884, the Prohibition national convention was held in Pittsburgh. John P. St. John, of Kansas, was nominated for President, and William Daniel, of Maryland, for vice president. A faction of the party, calling themselves the American Prohibition party, had held a convention in Chicago on the 19th of June and nominated a ticket composed of Samuel C. Pomeroy, of Kansas, for President, and John A. Conant, of Connecticut, for vice president. Neither of these tickets received any votes in Arkansas.

ARKANSAS STATE ELECTION

The Republican party was the first to manifest political activity in Arkansas in 1884. At a state convention held in Little Rock on the 9th of April delegates to the national convention were selected, and at a second convention in July the following state ticket was nominated: Thomas Boles, governor; Paul Graham, secretary of state; James R. Berry, auditor; S. A. Duke, treasurer; Jacob Trieber, attorney-general; J. N. Ford, superintendent of public instruction; J. A. Barnes, land commissioner.

The Democratic state convention met in Little Rock on the 25th of June. Simon P. Hughes was nominated for governor on the thirty-third ballot and the ticket was then completed by the nomination of the following candidates: E. B. Moore, secretary of state; A. W. Files, auditor; William E. Woodruff, Jr., treasurer; Daniel W. Jones, attorney-general; Wood E. Thompson, superin-

tendent of public instruction; Paul M. Cobbs, land commissioner. The convention also selected delegates to the national convention and adopted a platform, one plank of which was as follows:

"We approve the action of the Legislature in resubmitting the proposed amendment to the constitution of the state with respect to the railroad aid, Holford and levee bonds, and relegate the question to the people as a non-political issue, to be voted on in accordance with each voter's conviction of right."

The state election was held on September 1, 1884, and the entire democratic ticket was elected. For governor, Hughes received 99,972, votes, and Boles received 55,836. This time there was no doubt as to the fate of the constitutional amendment. The total number of votes cast was 157,391. Of these 119,806 were for the amendment and 15,495 against it, or 41,110 majority (of the total vote). At the presidential election on November 4, 1884, Cleveland and Hendricks polled 72, 927 votes; Blaine and Logan, 50,895; Butler and West, 1,847. Poindexter Dunn, C. R. Breckinridge, James K. Jones, John H. Rogers and Samuel W. Peel (all Democrats) were elected representatives in Congress.

HUGHES' ADMINISTRATION

Simon P. Hughes, the fifteenth man to be elected governor of Arkansas after the state was admitted into the Union, was born in Smith County, Tennessee, April 14, 1830. His parents came to Arkansas in 1844 and located in Pulaski County. Two years later Simon went back to Tennessee to attend school and spent three years in the Sylvan Academy and Clinton College. In 1849 he returned to Arkansas and engaged in farming. He was elected sheriff of Monroe County in 1854 and while in that office commenced the study of law. In 1857 he was admitted to the bar and began practice at Clarendon, having for his partner W. W. Smith, who was afterward elected associate justice of the Supreme Court.

When the Civil war began in 1861, Mr. Hughes enlisted in the Twenty-third Arkansas Regiment, commanded by Col. Charles W. Adams. He was commissioned captain of his company and rose to be lieutenant-colonel of the regiment. Upon the reorganization of the Twenty-third, he entered the cavalry service as a private and served in Morgan's Texas Battalion until the close of the war, when he returned to his home in Clarendon.

He was elected to represent Monroe County in the lower house of the Legislature in 1866; was the delegate from that county to the constitutional convention of 1874, and was elected the first attorney-general under the new constitution. He then removed to Little Rock. At the close of his term in January, 1877, he resumed the practice of law until 1884, when he was elected governor. He was reelected in 1886, and when the number of supreme judges was increased to five in 1889 he was chosen as one of the additional justices, serving on the bench until 1896, when he again resumed the practice of his profession.

On June 2, 1857, Mr. Hughes married Miss Anna E. Blakemore and to this union were born six children—William B., Robert, George, John, Sallie and Lillian. He died on June 29, 1906.

TWENTY-FIFTH LEGISLATURE

The regular session of the Twenty-fifth General Assembly lasted from January 12 to March 28, 1885. At the opening of the session R. B. Weaver was elected president of the senate and James P. Eagle, speaker of the house. On the 17th Governor Hughes was inaugurated. His inaugural address contained a number of valuable suggestions, most of which were enacted into laws, particularly those referring to the necessity of repairing the capitol building and the improvement and maintenance of the penal and charitable institutions of the state. Appropriations to carry out his recommendations were made as follows:

Insane Asylum	$135,196.00
Arkansas Industrial University	31,000.00
School for the blind	67,398.50
Deaf Mute Institute	69,920.00
Penitentiary	75,000.00
Capitol Building (repairs)	30,000.00
Total	$408,514.50

The act of April 6, 1869, which provided for the funding of the public debt of the state, was repealed. The repeal act provided that: "From and after the passage of this act the governor of the State of Arkansas shall not have power or authority to issue any new bonds of the state known as 'State Bank bonds,' and 'Real Estate Bank bonds.'"

A further financial "house-cleaning" was provided for by the act creating a state debt board, composed of the governor, auditor, treasurer and attorney-general, who were authorized and directed "to call in and register the outstanding bonds of the state, determine which were legal and genuine, and report to the next General Assembly.

Among the other acts of this session were those changing the name of Dorsey County to Cleveland; providing for the better protection of fish and game; forfeiting and declaring null and void all railroad charters granted to railroad companies prior to January 1, 1883, unless the roads were actually built or in process of construction; and making an additional appropriation of $5,000 to defray the expenses of the Arkansas exhibit at the Cotton Centennial Exposition at New Orleans.

Two United States senators were to be elected by this Legislature—one for the unexpired term of A. H. Garland, who had been appointed attorney-general of the United States, and one to succeed J. D. Walker for the term beginning on March 4, 1885. Ex-Governor James H. Berry was elected to succeed Mr. Garland and James K. Jones was elected as the successor of Mr. Walker.

ELECTIONS OF 1886

The state campaign of 1886 was opened by the Democratic party, which held a state convention at Little Rock on the last day of June and nominated the following ticket: Simon P. Hughes, for governor; Elias B. Moore, for secretary

of state; William R. Miller, for auditor; William E. Woodruff, Jr., for treasurer; Daniel W. Jones, for attorney-general; Wood E. Thompson, for superintendent of public instruction; Paul M. Cobbs, for land commissioner; Burrell B. Battle, for associate justice of the Supreme Court. Hughes, Moore, Woodruff and Jones were nominated by acclamation.

On July 28, 1886, the Republican state convention met in Little Rock. Lafayette Gregg, former justice of the Supreme Court, was nominated for governor; H. A. Millen, for secretary of state; David B. Russell, for auditor; Louis Altheimer, for treasurer; D. D. Leach, for attorney-general; A. H. Boles, for superintendent of public instruction; A. W. Stone, for land commissioner; O. D. Scott, for associate justice.

A third ticket, called the "Labor Ticket," was placed in the field. It was the outgrowth of the farmers' organization known as the Agricultural Wheel, which was a revival of the Grange movement of the preceding decade. The "National Wheel" was organized at Litchfield, Arkansas, on July 28-29, 1886, by delegates from the state wheels of Tennessee, Arkansas and Kentucky. The order disclaimed any intention of taking part in politics, but some of the members determined to nominate candidates for state offices. On June 9, 1886, the Arkansas Wheel met at Little Rock and a movement was then and there made to make the nominations. A large part of the delegates left the meeting. Those who remained appointed an executive or nominating committee, which early in August announced the following as the Wheel candidates: Charles E. Cunningham, governor; J. J. Bell, secretary of state; Oliver S. Jones, auditor; T. J. Andrews, treasurer; A. B. Marberry, superintendent of public instruction; John M. Harrell, attorney-general; C. E. Tobey, land commissioner. No candidate was nominated for associate justice of the Supreme Court, the committee recommending the members of the order to vote for the Republican candidate. Mr. Marberry and Mr. Harrell declined to accept their nominations, but the other candidates entered actively into the campaign, notwithstanding the statement of the Wheel officials that the ticket had been named without their authority or consent.

At the state election on September 6, 1886, the entire Democratic ticket was elected, the vote for governor being as follows: Hughes, 90,649; Gregg, 54,064; Cunningham, 19,069.

The election for representatives in Congress was held on November 2, 1886, and five Democratic congressmen were elected from the five districts, respectively: Poindexter Dunn, C. R. Breckinridge, Thomas C. McRae, John H. Rogers and Samuel W. Peel. Mr. McRae was first elected to Congress at a special election on September 7, 1885, to fill the unexpired term of James K. Jones, who had been elected United States senator.

TWENTY-SIXTH LEGISLATURE

The Twenty-sixth General Assembly was convened in regular session on January 10, 1887. D. E. Barker, of Drew County, was elected president of the senate, and John M. Hewitt, of Lee County, was chosen speaker of the house. On the 15th Governor Hughes was inaugurated for his second term. There was no ceremony, the governor merely appearing before a joint session of

the two houses and taking the oath of office. In reviewing the progress of the state under his first administration, he said:

"For the year ending on June 30, 1886, the sum of $1,837,710 was realized from all sources for the support of free schools. The taxable values of the state have reached $140,000,000. More than two years ago the state ceased to borrow money. Since then the state has erected, furnished and equipped buildings of modern style and architecture, that are convenient and substantial for her Deaf Mute Institute; her School for the Blind; an addition to her lunatic asylum; two new buildings within the walls of the penitentiary, and has repaired and greatly improved the capitol building, and has paid for it all, and yet has a considerable sum of money in her treasury unappropriated."

Among the acts passed at this session were the following: To prohibit the granting of free passes by any railroad or transportation company to any officers or employees of the state; to abolish public executions; to provide for a geological survey of the state; to accept the sum of $250,000 from the St. Louis, Iron Mountain & Southern Railroad Company in settlement of all claims for back taxes due; to prohibit the sale of intoxicating liquors within three miles of any educational institution, upon the petition of a majority of the inhabitants; to define the weight of grains, seeds and vegetables; to reorganize the Arkansas Industrial University; to create the fourteenth judicial circuit; to regulate the fees and salaries of certain state and county officers; to provide for the payment of the public debt of the state, and to submit to the people at the next general election the question of holding a constitutional convention.

CAMPAIGN OF 1888

Two national conventions met in Cincinnati, Ohio, on May 15, 1888, representing two factions of organized labor. In the Union Labor convention twenty states were represented by regular delegations. Alson J. Streeter, of Illinois, was nominated for President, and Samuel Evans, of Texas, for vice president. The attendance at the United Labor convention was small. Rober H. Cowdry, of Illinois, was nominated for President, and W. H. T. Wakefield, of Kansas, for vice president. The name of Samuel Evans was withdrawn as the Union Labor candidate for vice president and Charles E. Cunningham, of Arkansas, was selected to fill the vacancy on the ticket. The platform of the Union Labor party declared in favor of a graduated income tax; the election of United States senators by direct vote of the people; arbitration instead of strikes in the settlement of labor disputes; the exclusion of Chinese immigration; and that women should be given the right of suffrage.

The Prohibition national convention met in Indianapolis, Indiana, on the 20th of May. Clinton B. Fisk, of New Jersey, was nominated for President, and John A. Brooks, of Missouri, for vice president. In the platform it was declared that the manufacture, importation and sale of alcoholic beverages should be made public crimes and treated as such; the immediate abolition of the internal revenue system, whereby our government is deriving support from our greatest national vice, was demanded, and every form of license, taxation or regulation of the liquor traffic was denounced as contrary to good government.

On June 5, 1888, the Democratic national convention assembled in St. Louis.

Grover Cleveland was nominated for President by acclamation, and Allen G. Thurman, of Ohio, was nominated for vice president. The platform of 1884 was reaffirmed; Cleveland's administration was indorsed; a just and liberal policy toward the territories was favored; and the bill for the reduction of the revenue then pending in Congress was approved.

The Republican national convention met in Chicago on the 19th of June. Benjamin Harrison, of Indiana, a grandson of Gen. William Henry Harrison, was nominated for President on the eighth ballot, and Levi P. Morton, of New York, was nominated for vice president. The platform declared in favor of a "free and honest ballot," the American system of a protective tariff; and the use of both gold and silver as money. It denounced the Democratic party for its effort to demonetize silver, and declared in opposition to all trusts or combinations of capital for the purpose of controlling trade among the citizens of the United States.

STATE TICKETS

The first state convention in Arkansas was held at Little Rock on May 1, 1888, by the Union Labor party. C. M. Norwood was nominated for governor; George W. Terry, for secretary of state; A. W. Bird for auditor; W. J. Duvall, for chief justice of the Supreme Court, and the executive committee was given authority to nominate the remaining candidates and fill vacancies on the ticket. By this means A. F. Rice was nominated for state treasurer; R. P. Baker, for superintendent of public instruction; R. H. Morehead, for land commissioner. W. J. Duvall was shifted to attorney-general and no nomination was made for chief justice. This ticket was supported by the Republicans.

On the last day of May a Democratic state convention met in Little Rock. No nomination for governor was made until the 5th of June, when James P. Eagle, of Lonoke County, was chosen on the 126th ballot. The remainder of the ticket was as follows: B. B. Chism, secretary of state; W. S. Dunlop, auditor; William E. Woodruff, Jr., treasurer; William E. Atkinson, attorney-general; W. E. Thompson, superintendent of public instruction; Paul M. Cobbs, land commissioner; Sterling R. Cockrill, chief justice of the Supreme Court.

At the state election on September 6, 1888, the vote for governor was as follows: Eagle, 99,214, Norwood, 84,213. The other Democratic candidates were elected by even larger majorities than the governor. The presidential election was held on the 6th of November: Cleveland and Thurman received 85,962 votes; Harrison and Morton, 58,752; Streeter and Cunningham, 10,613; Fisk and Brooks, 641.

The proposition to hold a constitutional convention, which was voted on at the state election in September, was defeated by a vote of 93,686 to 41,952—a majority against the convention of 51,734.

CHAPTER XVII

FROM EAGLE TO JONES

GOV. JAMES P. EAGLE—TWENTY-SEVENTH LEGISLATURE—KILLING OF JOHN M. CLAYTON—SPECIAL ELECTION—CAMPAIGN OF 1890—TWENTY-EIGHTH LEGISLATURE—ELECTIONS OF 1892—STATE CONVENTIONS—FISHBACK'S ADMINISTRATION—TWENTY-NINTH LEGISLATURE—REFUND OF THE DIRECT TAX—FORT LOGAN H. ROOTS—CAMPAIGN OF 1894—THIRTIETH LEGISLATURE—CLARKE'S ADMINISTRATION—CAMPAIGN OF 1896—THE STATE TICKETS—THIRTY-FIRST LEGISLATURE—JONES' ADMINISTRATION—SPECIAL SESSION—CAMPAIGN OF 1898—THIRTY-SECOND LEGISLATURE—THE STATE ELECTION.

James Philip Eagle, the sixteenth state governor of Arkansas, was born in Maury County, Tennessee, August 10, 1837. His parents, James and Charity (Swaim) Eagle, were natives of North Carolina. In the fall of 1839 they came to Arkansas and located in Pulaski County, about twenty miles east of Little Rock. In 1857 they removed to a farm in what is now Lonoke County, but then a part of Prairie County. J. M. King, sheriff of that county, appointed young Eagle his deputy in 1859 and he served in that position until the outbreak of the Civil war. The sheriff then raised a company, in which his deputy enlisted as a private. He was promoted to lieutenant, then captain, next major, and when Gen. D. H. Reynolds' brigade was consolidated into a single regiment —the First Arkansas Mounted Volunteers—Major Eagle was made lieutenant-colonel. During his military service he was in numerous engagements, was severely wounded at the battle of Peach Tree Creek near Atlanta, July 17, 1864, and was in the hospital for two months. Upon his recovery he rejoined his command and was present at the surrender of Gen. Joseph E. Johnston's army near Durham, North Carolina, in April, 1865.

At the close of the war Colonel Eagle returned to Arkansas to find that his father had died and the other members of the family were in Texas. Like many other Confederate soldiers, he went to work to restore his shattered fortunes, and by energy and perseverance he accumulated several thousand acres of land. In his youth, opportunities to acquire an education were limited. After the war, although more than thirty years of age, he determined to obtain a better education. He attended school at Lonoke for some time and in 1870-71 he was a student in the Mississippi College, a Baptist institution at Clinton, Mississippi. He had joined the Baptist Church in 1867, and while attending college was licensed to preach.

In 1872 he was elected to the lower house of the Legislature from Prairie County, which really marked the beginning of his political career. He was a member of the called session of the Legislature in 1874 and was the delegate from Lonoke County to the constitutional convention of that year. While

serving in the called session he was appointed one of the committee to adjust the claims growing out of the Brooks-Baxter war. In 1876 and again in 1884 he was elected to the Legislature and in the session of 1885 was speaker of the house. He was nominated by the Democratic state convention of 1888 for governor and was elected in September. He was reëlected in 1890. Upon retiring from the office of governor in January, 1893, he devoted his attention to his landed interests and to preaching for Baptist congregations too poor to employ a regular pastor. He presided over the Baptist state convention for ten years in succession.

On January 3, 1882, Governor Eagle married Miss Mary Kavanaugh Oldham, of Richmond, Kentucky, a daughter of William K. Oldham. She died in February, 1903. Governor Eagle's death occurred on December 20, 1904.

TWENTY-SEVENTH LEGISLATURE

The Twenty-seventh General Assembly was convened at Little Rock on January 14, 1889, and adjourned sine die on April 3, 1889. At the opening of the session W. S. Hanna, of Conway County, was elected president of the senate, and B. B. Hudgins, of Boone County, speaker of the house. Governor Eagle was inaugurated on the 17th. On the 29th James H. Berry was reëlected United States senator for the term of six years, beginning on March 4, 1889.

The most important acts of the session were: To increase the number of supreme judges to five, and authorizing the governor to call a special election for the additional judges; to establish a bureau of mines, manufactures and agriculture; to add $5,000 to the governor's contingent fund for the apprehension of notorious criminals; to cede jurisdiction to the United States over the Federal Building and site in the City of Fort Smith, and over sites for public buildings at Helena and Texarkana; accepting the provisions of the act of Congress for the establishment of agricultural experiment stations; regulating the sale of commercial fertilizers; extending certain railroad charters two years, on condition that construction work was commenced within six months after the approval of the act; to allow railroad companies to build branch lines; and providing for the protection of passengers on railroads and of railroad employees.

KILLING OF JOHN M. CLAYTON

About nine o'clock on the evening of January 29, 1889, John M. Clayton, while sitting near a window in a hotel at Plummerville, Conway County, was killed by a shot fired through the window. Mr. Clayton, who was a brother of Gov. Powell Clayton, had been the Republican candidate for Congress in the Second District in 1888 and was contesting the election of Clifton R. Breckinridge. At the time of his assassination he was at Plummerville collecting testimony to be used in the contest.

Two days after the murder, Governor Eagle advised the Legislature in a special message that he had offered a reward of $1,000 (all the law would allow) for the apprehension of the assassin, and asked for authority to increase the amount of the reward. It was in response to this message that the Assembly

added $5,000 to the governor's contingent fund. Detectives were employed, but the perpetrator of the deed was never brought to justice.

SPECIAL ELECTION

Soon after the passage of the act increasing the number of supreme justices to five, Governor Eagle issued his proclamation calling a special election for the first Tuesday in April, for the two additional justices and for a justice to fill the vacancy caused by the death of Judge W. W. Smith. The election was held on April 2, 1889. Ex-Gov. Simon P. Hughes and W. E. Hemingway were chosen as the two additional justices, and M. H. Sandels was elected for the unexpired term of Judge Smith.

In accordance with the provisions of the act, at the first meeting of the Supreme Court after the election, Judges Hughes and Hemingway decided by lot which should have the four-year and which the eight-year term. Judge Hemingway drew the short term and his successor was elected in September 1892. Judge Hughes served until 1896.

CAMPAIGN OF 1890

The first state convention in Arkansas in 1890 was that of the Union Labor party, which met in Little Rock on the 10th of June. Napoleon B. Fizer was nominated for governor; J. M. Pittman, for secretary of state; O. S. Jones, for auditor; T. J. Andrews, for treasurer; T. P. Chambers, for attorney-general; T. M. C. Birmingham, for superintendent of public instruction; C. M. B. Cox, for land commissioner; G. B. Farmer, for commissioner of mines, manufactures and agriculture; W. A. Coody, for associate justice of the Supreme Court.

The platform adopted declared that "The associated monopolies demand dear money and cheap labor, a strong government and a weak people; thus deranging markets, producing uncertainty in manufacturing enterprises, and unsteady employment for the laborer." It demanded the abolition of national banks and that all money should be issued by the Government; that when so issued it should be a full legal tender for all debts, public or private; and that all elections should be free and fairly conducted.

On June 18, 1890, the Democratic state convention met in Little Rock. Governor Eagle was renominated and the remainder of the ticket was as follows: B. B. Chism, secretary of state; W. S. Dunlop, auditor; Richard B. Morrow, treasurer; William E. Atkinson, attorney-general; Josiah H. Shinn, superintendent of public instruction; C. B. Meyers, land commissioner; M. F. Locke, commissioner of mines, manufactures and agriculture; M. H. Sandels, associate justice of the Supreme Court.

The platform declared in favor of the free and unrestricted coinage of silver, the regulation of freight and passenger rates on railroads, and indorsed the administration of Governor Eagle. It denounced "the silver bill passed by the present House of Representatives as an attempt to demonetize silver and to build up the fortunes of the favored few."

The Republican state convention met at the little Town of Glenwood, Pike County, July 9, 1890. It was charged by some members of the party that the

convention was called at this out-of-the-way place in order that it could be controlled by the Clayton wing. Ex-Gov. Powell Clayton called the convention to order and after some discussion the following resolution was adopted by a vote of 273 to 7:

"Whereas, The Union Labor party of this state has nominated a full state ticket on a platform embodying the great principle of a free vote and an honest count, therefore be it

"Resolved, That we deem it inexpedient to nominate a Republican state ticket, but indorse the ticket nominated by the Union Labor party and headed by that eminent and earnest advocate of a free ballot, Napoleon B. Fizer, of White County, and earnestly recommend that all Republicans of Arkansas heartily and cordially support the same."

No mention was made of any of the declarations in the Union Labor platform except that relating to "a free vote and an honest count." National banks were created by Republican legislation. The demand for their abolition—which was contrary to the declarations of every Republican platform since the Civil war—was ignored. The action of the convention shows to what depths the Republican leaders in Arkansas had sunk. They had lost control of the state government and wanted to get back into office. Under such circumstances they cared nothing for inconsistency with the past record of their party.

At the election on September 1, 1890, the entire Democratic state ticket was victorious, the vote for governor being as follows: Eagle, 106,267; Fizer, 85,181. On November 4, 1890, was held the election for members of Congress, which resulted in the election of five Democratic representatives, viz.: W. H. Cate, Clifton R. Breckinridge, Thomas C. McRae, W. L. Terry and Samuel W. Peel. Mr. Cate had been elected in 1888, but the national House of Representatives ousted him in favor of L. P. Featherston, who contested the election. Mr. Breckinridge's seat was declared vacant in September, 1890, and he was elected for the remainder of the term at a special election.

TWENTY-EIGHTH LEGISLATURE

On January 12, 1891, the twenty-eighth regular session of the General Assembly was convened at Little Rock. James P. Clarke, of Phillips County, was elected president of the senate, and Elias W. Rector, of Garland County, speaker of the house. Soon after the two houses were organized Governor Eagle was inaugurated for his second term. His message was a plain, straightforward statement of state affairs during the preceding two years. He recommended liberal support of the state's charitable institutions, a state board of equalization to review the assessments of property in the several counties and secure uniformity, and an appropriation for an exhibit of Arkansas products at the Columbian Exposition to be held in Chicago in 1893. He also stated that he would suggest an increase in the tax for the maintenance of public schools, "were it not that the constitution stands in the way."

On January 21, 1891, James K. Jones was reelected United States senator for the term beginning on the 4th of March following. Mr. Jones received 80 votes, Jacob Trieber, 12, and D. E. Barker, 2.

The most important of the acts passed at this session were: To give county

courts the power to order the drainage and reclamation of swamp and overflowed lands; to prohibit the appointment or use of nonresidents as deputy sheriffs, constables or other peace officers in the settlement of labor disputes; to encourage the lumber industry by providing for the incorporation of booming and rafting companies, which were authorized to construct booms across streams for catching logs, lumber, shingles and other timber products; to accept the provisions of the act of Congress, approved on August 30, 1890, making an annual appropriation for the benefit of agricultural and mechanical colleges, and giving eight-elevenths of the appropriation to the University at Fayetteville and the other three-elevenths to the Normal School for colored people located at Pine Bluff; to give the United States jurisdiction over a site for a public building at Camden; to prevent prize fighting in the state; to amend the election laws, creating the state board of election commissioners, composed of the governor, secretary of state and auditor, who were empowered to appoint three election commissioners in each county; to incorporate the Ex-Confederate Association of Arkansas, and to grant pensions to disabled Confederate soldiers or their widows and orphans.

ELECTIONS OF 1892

In the presidential campaign of 1892 the Republicans led off by holding their national convention at Minneapolis, Minnesota, beginning on the 7th of June. President Benjamin Harrison was renominated on the 10th, on the first ballot, and Whitelaw Reid, of New York, was nominated for Vice President by acclamation.

The platform denounced the Democratic majority in Congress for trying to destroy the protective tariff; commended the Republican policy of reciprocity; indorsed Harrison's administration; and denounced "the continued inhuman outrages perpetrated upon American citizens in certain Southern States of the Union."

On June 21, 1892, the Democratic national convention assembled in Chicago. Grover Cleveland was nominated for President on the first vote, and Adlai E. Stevenson, of Illinois, was the choice for Vice President. At the preceding session of Congress, the House of Representatives had passed what was commonly called the "Force Bill," giving the Federal authorities control of elections at which the President, Vice President and members of Congress were to be chosen. On the subject of this bill the Democratic platform of 1892 said:

"The policy of Federal control of elections, to which the Republican party has committed itself, is fraught with the greatest dangers, scarcely less momentous than would result from a revolution practically establishing monarchy on the ruins of the republic. It strikes at the North as well as the South and injures the colored citizen even more than the white. It means a horde of deputy marshals at every polling place, armed with Federal power, returning boards, appointed and controlled by Federal authority, the outrage of the electoral rights of the people in the several states, the subjugation of the colored people to the control of the party in power, and the reviving of race antagonisms now happily abated, of the utmost peril to the safety and happiness of all; a measure deliberately and justly described by a leading Republican senator as "the most infamous bill that ever crossed the threshold of the Senate."

The platform also denounced the McKinley tariff law enacted in 1890; declared the Sherman silver act "a cowardly makeshift," and favored the use of both gold and silver as the standard money of the country, "without discrimination against either metal or charge for mintage."

The third national convention was that of the Prohibition party, which met in Cincinnati on the 29th of June. John Bidwell, of California, was nominated for President, and J. B. Cranfill, of Texas, for Vice President. On the subjects of suppression of the liquor traffic and woman suffrage, the platform reiterated the declarations of 1888. It also declared in favor of "the free and unlimited coinage of both silver and gold," and that railroads, telegraphs and other public corporations should be controlled by the Government in the interest of the people, with no higher rates than those necessary to give a fair interest on the capital actually invested.

In 1890 the People's party (or Populists) nominated state tickets in several of the Western and Southern States and polled a considerable vote. This party, which was the outgrowth of the "Farmers' Alliance," held its first national convention at Omaha, Nebraska, July 2, 1892. Gen. James B. Weaver, of Iowa, was nominated for President, and James G. Field, of Virginia, for Vice President.

The platform declared that "Wealth belongs to him who creates it and every dollar taken from industry without an equivalent is robbery. 'If any will not work, neither shall he eat.'" It also declared in favor of the free and unlimited coinage of silver and gold at the present ratio of sixteen to one; the increase of the circulating medium to not less than fifty dollars per capita; a graduated income tax, and that the Government should own and operate the railroads and telegraphs.

STATE CONVENTIONS

On June 14, 1892, the Democratic party of Arkansas opened the campaign in the state by holding a convention at Little Rock and nominating the following candidates: William M. Fishback, governor; H. B. Armistead, secretary of state; C. B. Mills, auditor; R. B. Morrow, treasurer; James P. Clarke, attorney-general; Josiah H. Shinn, superintendent of public instruction; C. B. Meyers, land commissioner; John D. Adams, commissioner of mines, manufactures and agriculture; W. E. Hemingway, associate justice of the Supreme Court.

Just a week later the People's party met in state convention at Little Rock and nominated the following ticket: J. P. Carnahan, governor; Paul T. Davidson, secretary of state; A. A. Steele, auditor; Warren Wright, treasurer; W. B. Parks, attorney-general; G. W. Crosby, superintendent of public instruction; J. M. L. Thomasson, land commissioner; William Manning, commissioner of mines, manufactures and agriculture; W. F. Hill, associate justice of the Supreme Court.

The Republican state convention was held in Little Rock on the 6th of July. William G. Whipple was nominated for governor; James Oats, for secretary of state; Samuel A. Williams, for auditor; Charles N. Rix, for treasurer; E. H. Vance, for attorney-general; — Freeman, for superintendent of public in-

'struction; J. N. Donohoo (colored), for land commissioner; J. M. Gordon, for commissioner of mines, manufactures and agriculture. No nomination was made for justice of the Supreme Court.

The Prohibition party also nominated a partial ticket, headed by William J. Nelson, for governor. At the state election on September 5, 1892, the vote for governor was as follows: Fishback, 90,115 ; Whipple, 33,644; Carnahan, 31,117; Nelson, 1,316. Amendment No. 2 to the state constitution, requiring voters to present a receipt for poll tax before being permitted to cast their votes, received 75,940 votes in its favor to 56,601 against it. The amendment was declared adopted by the speaker of the house on January 12, 1893, but the courts afterward rightly held that it had not received a majority of all the votes cast at the election. The total vote for governor was 156,192, hence the smallest possible majority would have been 78,097, and the amendment received only 75,940, or 2,157 short of the necessary majority.

The election for President, Vice President and members of Congress was held on November 8, 1892. Cleveland and Stevenson received 87,834 votes; Harrison and Reid, 46,974; Weaver and Field, 11,831; Bidwell and Cranfill, 113, and 1,267 votes were returned as "scattering." Six Democratic congressmen were elected from the six districts, viz: P. D. McCulloch, C. R. Breckinridge, T. C. McRae, W. L. Terry, H. A. Dinsmore and Robert Neill.

FISHBACK'S ADMINISTRATION

William Meade Fishback, the seventeenth governor of the State of Arkansas, was born in Culpeper County, Virginia, November 5, 1831, a son of Frederick and Sophia (Yates) Fishback. The Fishback family came originally from Germany. Fredericktown, Maryland, was named for Frederick Fishback, one of the governor's ancestors. This Frederick Fishback married a Miss Hager, whose father was the founder of Hagerstown, Maryland, prior to the Revolutionary war.

William M. Fishback grew to manhood in his native county; was educated at the University of Virginia; taught school for some time after leaving college; studied law in Richmond, and in 1857 decided to seek his fortune in the West. The greater part of the year 1858 was spent in Illinois looking for a place to begin the practice of his profession. At Springfield he met Abraham Lincoln, who assisted him to obtain his first client. Late in the year he came to Arkansas. After about a month at Fort Smith he went to Greenwood, where he formed a partnership with Judge S. F. Clark, which lasted until the beginning of the Civil war. In 1861 Mr. Fishback was elected as a Union man to the state convention, which passed the secession ordinance. He voted for the ordinance, explaining that he did so because the trend of public opinion demanded its adoption.

Soon after the adjournment of that convention he went north, but returned to Little Rock in 1864 as the editor of a newspaper called the "Unconditional Union." The same year he was elected to the United States Senate, but was not allowed to take his seat. After the war he returned to Sebastian County, where he was elected a delegate to the constitutional convention of 1874. He was elected to the Legislature in 1876, was reëlected in 1878, and at the ensuing

session introduced what is known as the "Fishback Amendment" to the state constitution, prohibiting the state authorities from paying the Holford, railroad aid and levee bonds. In 1884 he was again elected to the Legislature and in the session of 1885 was a candidate for United States senator, but was defeated by James H. Berry. In 1888 he was before the Democratic state convention as a candidate for governor, but failed to receive the nomination. He was elected governor in 1892 and served one term. In 1896 he was an ardent advocate of the free coinage of silver and made speeches in several states in behalf of Bryan and Sewall.

On April 4, 1867, Mr. Fishback married Miss Adelaide Miller, who bore him six children. She died in 1882 and Governor Fishback died at his home in Fort Smith on February 9, 1903.

TWENTY-NINTH LEGISLATURE

The Twenty-ninth General Assembly met on January 9, 1893, and continued in session until the 8th of April. E. B. Kinsworthy was elected president of the senate, and T. C. Humphrey, speaker of the house. On the second day of the session Governor Eagle delivered his farewell message. It was a comprehensive review of the work of his administration, the condition of the various state institutions, with recommendations for their improvement and support. He also gave a complete list of convicts pardoned during his last term.

The principal acts of the session were: To provide for the redemption of lands sold for delinquent taxes; to revise and digest the laws of the state; to create the seventeenth judicial circuit; to give consent to the acquisition by the United States of a tract of land, of not more than fifteen hundred acres, in Pulaski County for a military post, and surrendering jurisdiction over the same; to regulate the removal of county seats; to repeal the act of 1887 providing for a geological survey of the state; to require insurance companies to give bond; to donate to the St. Francis levee district the state lands therein; to provide for the better government of cities of the first class; to compel railroad companies to furnish separate coaches for white and colored passengers; to enforce the provisions of amendment No. 2; to authorize the governor to appoint five directors to provide an exhibit of the state's products at the Columbian Exposition at Chicago, authorizing an educational exhibit, and making an appropriation of $15,000 to defray the expenses.

The privilege tax and pension laws were amended and two constitutional amendments were proposed. The first provided that justices of the peace should have power to levy a tax of not more than three mills on the dollar for internal improvements. The second gave the governor authority to fill vacancies in county and township offices.

REFUND OF THE DIRECT TAX

On August 5, 1861, President Lincoln approved an act of Congress levying a direct tax upon the real estate of the several states and territories, to obtain funds for prosecuting the Civil war. This tax was not collected in Arkansas,

except during the years 1865-66, after the establishment of the Murphy government. The United States Supreme Court declared the act unconstitutional, because it did not include all classes of property in its provisions, and on March 5, 1891, President Benjamin Harrison approved an act to refund to the states and territories the amount of the tax paid by the citizens thereof while the law was in operation.

Governor Eagle, on April 9, 1891, approved an act of the Arkansas Legislature accepting the refund and authorizing the governor to return the money "to the persons who paid the same to the United States, or to their assigns or legal representatives." In his message of January 10, 1893, Governor Eagle reported that the state had received from the United States $156,272.65, and that of this sum $102,678.91 had been returned to the taxpayers or their representatives, leaving a balance of $53,593.74 in the state treasury on October 1, 1892. A small portion of this balance was returned to claimants during Governor Fishback's administration and $15,000 of it furnished the appropriation for the Arkansas exhibit at the Columbian Exposition. Many of those who had paid the tax in 1865-66 had died without heirs, others had left the state and their whereabouts could not be ascertained. Something over thirty thousand dollars of the refund were finally turned over to the general fund.

FORT LOGAN H. ROOTS

Governor Fishback was inaugurated on January 18, 1893. One of the principal events that occurred during his administration was the building of Fort Logan H. Roots on Big Rock, opposite the capital city. In 1892 negotiations were opened between the citizens of Little Rock and the Federal authorities, by which the old arsenal grounds were exchanged for 1,000 acres on Big Rock and jurisdiction was ceded to the United States by the Legislature of 1893. The arsenal grounds thereby became the "City Park." The military post was named in honor of Logan H. Roots, who had been active in effecting the exchange.

Another important event of the Fishback administration was the organization of the St. Francis levee district, which included over fifteen hundred square miles of land in Crittenden, Cross, Mississippi and Poinsett counties, lying between Crowley's Ridge and the Mississippi River. Through the operations of the levee board about one million acres were reclaimed and brought under cultivation.

John D. Adams, who was elected commissioner of mines, manufactures and agriculture in 1892, died on December 7, 1892, about a month after being inducted into office. Governor Eagle appointed George M. Chapline, who resigned in March, 1893, and Governor Fishback then appointed W. G. Vincenheller.

CAMPAIGN OF 1894

Only two full state tickets were placed in the field in 1894. The Democrats nominated James P. Clarke for governor; H. B. Armistead, secretary of state; C. B. Mills, auditor; Ransom Gulley, treasurer; E. B. Kinsworthy, attorney-general; Junius Jordan, superintendent of public instruction; J. F. Ritchie,

land commissioner; W. G. Vincenheller, commissioner of mines, manufactures and agriculture; B. B. Battle, associate justice of the Supreme Court for the full term, and J. E. Riddick for the unexpired term of Judge W. W. Mansfield.

The Republicans and Populists got together in the nomination of the following ticket: Harmon L. Remmel, governor; H. N. Beam, secretary of state; A. J. Nichols, auditor; T. J. Andrews, treasurer; J. A. Meek, attorney-general; J. P. Carnahan, superintendent of public instruction; O. S. Jones, land commissioner; S. H. Nowlin, commissioner of mines, manufactures and agriculture. No nominations were made for justices of the Supreme Court.

The "Middle of the Road" Populists, that is those who did not believe in merging their party identity with some other political organization, nominated D. E. Barker for governor, and the Prohibitionists nominated J. W. Miller for governor. The abstract of the vote, as published in the report of the secretary of state, does not show that any other candidates were nominated by those two parties.

At the state election on September 3, 1894, the vote for governor was as follows: Clarke, 74,809; Remmel, 26,085; Barker, 24,541; Miller, 1,551. Alexander McKnight received 2,513 votes for state treasurer. John S. Little was elected to fill the unexpired term of C. R. Breckinridge, member of Congress from the Second District, who had resigned. Amendment No. 3, giving justices of the peace power to levy taxes for internal improvements, received 32,774 votes, and 51,420 were cast against it. Amendment No. 4, authorizing the governor to appoint county and township officers, received 43,426 votes to 40,207 against it, but failed of adoption for want of a constitutional majority.

The election for representatives in Congress was held on November 6, 1894. Those elected from the six districts in order were: P. D. McCulloch, John S. Little, Thomas C. McRae, William L. Terry, Hugh A. Dinsmore and Robert Neill, all Democrats.

THIRTIETH LEGISLATURE

On January 14, 1895, the thirtieth regular session of the General Assembly began at the capitol in Little Rock. Gibson Witt was chosen to preside over the senate, and John C. Colquitt was elected speaker of the house. In his final message Governor Fishback said: "At no period within the history of our state have the time and circumstances been so propitious as the present for a large influx of immigration and capital. Arkansas has everything to attract more than her share of both. I earnestly recommend that not less than $10,000 be appropriated and turned over to the commissioner of mines, manufactures and agriculture, for this purpose alone."

He recommended a thorough investigation of the convict farm, and on the subject of good roads said: "If every farmer in Arkansas would take the time to calculate how much taxes he pays indirectly to bad roads, in the shape of wear and tear of vehicles, of mule and horseflesh, of time and labor, and of the wear and tear of patience and therefore of health, he would apprehend why it is that the French people, who are the most prosperous people in the world, tax themselves every year to keep up their public highways alone more than nineteen times as much as Arkansas taxes herself for all purposes. They

do it because it pays. One horse in France hauls more than four horses do in the rural districts of Arkansas, and vehicles last more than three times as long without repair. * * * The present road law is burdensome, unjust and wholly inefficient. I recommend its repeal."

Governor Clarke was inaugurated on January 18, 1895. The greater part of his inaugural address was devoted to the subject of a new constitutional convention. "At the time the present constitution was framed," said he, "we stood in the darkness and doubt of the reconstruction period and, consulting the demands of personal liberty, desperately assailed, we moulded its provisions as if the government might at any time be taken from the bona fide citizens of the state and turned back to those who had shown that they were wanting either in capacity or inclination to administer it for the best interest of the whole people."

He expressed himself in favor of a four-year term of office for all state and county offices, and to limit the right to hold any office to a single term.

Among the acts passed at the thirtieth regular session were the following: To revive and extend the charter of the Mississippi Valley Railroad Company; to tax national bank notes. United States treasury notes, etc., circulating as currency; to permit corporations to reduce the amount of their capital stock; to give laborers a lien upon property for work performed thereon; to declare the willful destruction of property by explosives a felony; to permit railroad companies to grant free passes to county sheriffs; to appropriate $10,000 for an exhibit of the state's products at the Atlanta Exposition; to exempt millers from jury, road and military duties; to enable counties to refund their bonded indebtedness; to authorize municipal corporations to condemn private property for the construction or extension of waterworks systems; and to provide for the registration of trademarks or brands on packages, bottles, etc. The Assembly adjourned on April 10, 1895.

CLARKE'S ADMINISTRATION

James P. Clarke, the eighteenth state governor of Arkansas, was born in Yazoo City, Mississippi, August 18, 1854, and was the son of Walter and Ellen (White) Clarke. He received an academic education in his native state and then entered the law department of the University of Virginia, where he was graduated in 1878. The following year he located at Helena, Arkansas, where he began the practice of his profession. In 1886 he was elected one of the representatives from Phillips County to the Legislature. Two years later he was elected to the state senate and in the session of 1891 was chosen president of that body. In 1892 he was elected attorney-general and in 1894 was elected governor.

Mr. Clarke declined a second term as governor in 1896 and practiced law in Little Rock until January, 1903, when he was elected United States senator to succeed James K. Jones. At the close of his first term he was reëlected for the term ending on March 4, 1915. The seventeenth amendment to the Federal Constitution went into effect on May 31, 1913. This amendment provides for the election of United States senators by direct vote of the people. Senator Clarke was chosen for a third term at the election in 1914 and was the first

senator from Arkansas to be elected by popular vote. While in the Senate he served on the committees on foreign relations and military affairs and was chairman of the commerce committee. In 1913 he was elected president pro tempore of the Senate, the first time in the history of Congress that an Arkansan was thus honored. He was reëlected to that position in 1915. Although a Democrat, he was not always a partisan and frequently asserted his independence. An instance of this character is seen in the passage of what is known as the "Adamson Bill," in September, 1916, to stop the threatened nation-wide railroad strike. Notwithstanding the fact that President Wilson wanted the bill passed, Senator Clarke was one of the two Democratic senators who refused to vote for it, and as president pro tempore he refused to sign it after it was passed.

While he was governor an incident occurred which shows the indomitable character of the man. Some prize fight promoters undertook to arrange a bout between James J. Corbett and Robert Fitzsimmons at Hot Springs. Governor Clarke declared that no prize fights should take place in Arkansas while he was governor, and announced that he would call out the militia, if necessary, to prevent the match. His unyielding determination to protect the good name of the state caused the fight promoters to abandon the project.

Senator Clarke died at his home in Little Rock on October 1, 1916, after an illness of only four days, following a slight stroke of apoplexy. Four United States senators attended the funeral—Robinson, of Arkansas; Ransdell, of Louisiana; Saulsbury, of Delaware, and Vardaman of Mississippi. The Arkansas Bar also paid tribute to his ability as a lawyer and his sterling worth as a statesman and citizen.

On November 17, 1883, James P. Clarke and Mrs. Sallie Moore Wooten, of Moon Lake, Mississippi, were united in marriage. Two daughters and a son—Julia, Marian and James—were born to this union.

CAMPAIGN OF 1896

In the national convention of 1896 the free coinage of silver was the dominant isue. On this question many voters in every party refused to follow their leaders. Prior to the opening of the presidential canvass, thirty Democratic state conventions in the South and West had declared in emphatic terms for the "free coinage of silver at the ratio of sixteen to one." On the other hand, the Democratic state conventions of eleven eastern states, Michigan, Wisconsin and Minnesota, had adopted resolutions opposing free coinage. The Republicans were almost as badly divided. The East stood solidly in opposition to bimetallism, while the mining states of the West were just as solidly in favor of free coinage.

The first national convention was held by the Prohibitionists at Pittsburgh on the 27th of May. At the opening the delegates were divided into two factions called the "broad gaugers" and the "narrow gaugers." The former wanted to adopt a platform made up of many topics, including free coinage, and the latter wanted to confine the platform declarations to the prohibition of the manufacture and sale of intoxicating liquors. In the adoption of the platform the "broad gaugers" were defeated and withdrew from the convention.

Those who remained nominated Joshua Levering, of Maryland, for President, and Hale Johnson, of Illinois, for Vice President.

On the next day the "broad gaugers" met and organized the National party, which nominated Charles E. Bentley, of Nebraska, for President, and James H. Southgate, of North Carolina, for Vice President.

On June 16, 1896, the Republican national convention met in St. Louis. William McKinley, of Ohio, was nominated for President on the first ballot, and Garret A. Hobart, of New Jersey, was nominated for Vice President. The financial plank of the platform was as follows:

"The Republican party is unreservedly in favor of sound money. We are unalterably opposed to every measure calculated to debase our currency or impair the credit of our country. We are therefore opposed to the free coinage of silver, except by international agreement with the leading commercial nations of the world, which we pledge ourselves to promote, and until such agreement can be obtained the existing gold standard must be preserved."

Immediately after the adoption of the platform, thirty-four delegates from the West and South, including four United States senators and two representatives in Congress, led by Senator Henry M. Teller, of Colorado, withdrew from the convention.

The Socialist Labor party met in national convention in New York City on the 4th of July and continued for six days. Charles H. Matchett, of New York, and Matthew Maguire, of New Jersey, were nominated for President and Vice President, respectively. The platform was silent on the money question. It declared in favor of government ownership of all mines, railroads, telegraphs, etc.; municipal ownership of all public utilities; a progressive income tax and a tax on inheritances; abolition of child labor; and government employment of all idle men.

The Democratic national convention was held in Chicago, beginning on the 7th of July. The action of the Republican convention strengthened the silver wing of the Democratic party and a majority of the delegates were in favor of free coinage. However, the control of the national committee was in the hands of the anti-silver wing and a bitter contest was waged over the adoption of a platform. The silverites, led by John W. Daniel, of Virginia, and William J. Bryan, of Nebraska, won a decisive victory and a platform was adopted demanding "the free and unlimited coinage of both silver and gold at the present legal ratio of sixteen to one, without waiting for the aid or consent of any other nation."

On the first vote for a nominee for President, 178 delegates refused to be recorded. William J. Bryan received the necessary two-thirds of the delegates on the fifth ballot and was declared the candidate for President. Arthur Sewall, of Maine, was nominated for Vice President, five ballots being necessary to effect the nomination.

Two national conventions—the Populists and the National Silver parties—met in St. Louis on the 22nd of July. Both indorsed the candidacy of Mr. Bryan, though the Populists nominated Thomas E. Watson, of Georgia, for Vice President, instead of Mr. Sewall.

On September 2, 1896, the Democrats who refused to support Mr. Bryan on a free silver platform, met in Indianapolis, Indiana, and organized the

National Democratic party. John M. Palmer, of Illinois, was nominated for President, and Simon B. Buckner, of Kentucky, for Vice President. One plank in the platform declared that: "The Democratic party has survived defeats, but it could not survive a victory won in behalf of the doctrine and policy proclaimed in its name at Chicago."

THE STATE TICKETS

The Democratic state ticket in 1896 was composed of the following candidates: Daniel W. Jones, governor; A. C. Hull, secretary of state; Clay Sloan, auditor; Ransom Gulley, treasurer; E. B. Kinsworthy, attorney-general; Junius Jordan, superintendent of public instruction; J. F. Ritchie, land commissioner; W. G. Vincenheller, commissioner of mines, manufactures and agriculture; H. G. Bunn, chief justice of the Supreme Court; S. P. Hughes, associate justice.

The Republican state convention nominated Harmon L. Remmel for governor; H. A. Reynolds, secretary of state; J. F. Mayes, auditor; A. A. Tuffts, treasurer; E. H. Vance, attorney-general; C. F. Cole, superintendent of public instruction; M. A. Sanders, land commissioner; C. T. Duke, commissioner of mines, manufactures and agriculture; Jacob Trieber, chief justice of the Supreme Court; O. D. Scott, associate justice.

A. W. Files was the Populist candidate for governor and J. W. Miller was again nominated for that office by the Prohibitionists, but neither party nominated candidates for any other state offices. At the state election on September 7, 1896, the vote for governor was as follows: Jones, 91,114; Remmel, 35,836; Files, 13,990; Miller, 851. All the Democratic candidates were elected by large majorities.

The presidential election was held on November 3, 1896. Bryan and Sewall carried the state, receiving 110,103 votes. McKinley and Hobart received 37,512; Levering and Johnson, 839; Bentley and Southgate, 893. All the congressmen elected in 1894 were reëlected.

THIRTY-FIRST LEGISLATURE

The Legislature met on January 11, 1897, for its thirty-first regular session, which lasted until March 11, 1897. William L. Moose was elected president of the senate, and James C. Tappan, speaker of the house. On the 14th Governor Clarke delivered his final message, the most important part of which related to the settlement with the United States. On this subject he said:

"For more than twenty years there has existed a troublesome and complicated dispute between the United States and the State of Arkansas, growing out of the ownership by the United States of certain coupon bonds of the state, and against which the latter asserted the right to offset an unliquidated claim for a failure upon the part of the former to patent to her a large quantity of land to which she became entitled under the act of Congress of September 28, 1850, known as the 'Swamp Land Grant,' and various other acts. Under authority of acts of the General Assembly of 1889 and of the act of Congress of August 4, 1894, the governor, acting for the State of Arkansas, and the secretaries of the treasury and of the interior, acting for the General Government,

proceeded to consider these matters of difference, and on the 23d day of February, 1895, concluded a settlement by which a balance of $160,572 was, as a final result, found to be due the United States by the State of Arkansas.

"By the terms of the act of Congress under which the settlement was concluded, the same was not to be binding on the United States until ratified by Congress. A bill to ratify the settlement was introduced in the Senate and House shortly after the agreement was signed, but upon objection made, supposed to have been inspired by the lobby of the Iron Mountain Railroad Company, consideration could not be obtained at the pending short session. At the regular session following, bills for the same purpose were again promptly introduced. About this time Congress was flooded with anonymous circulars attacking the good name of the state and assailing in detail the fairness of the settlement so far as the interest of the United States was concerned. The leading newspapers of the country were also filled with a carefully prepared alleged expose of a deliberate scheme upon the part of the State of Arkansas to rob the Smithsonian Institution of part of the funds provided by is founder to maintain it. Certain movements of the Iron Mountain lobby in connection with the making of this settlement unmistakably located it as the agency through which these slanders were prepared and given to the public. The bill was reached for consideration in the Senate first and during the debate Senator Berry exposed and denounced these attacks and the blackmailing motives which prompted the railroad company to cause the same to be made, with a courage and plainness worthy of the highest commendation. After full debate the Senate passed the bill by a large majority.

"After it reached the House it was, in the regular course, referred to the committee on public lands. There the Iron Mountain Railroad Company appeared to resist its passage. Their real purpose was not to encompass the actual defeat of the bill and the consequent ratification of the settlement between the two sovereignties, but it was, by exerting a pressure against the accomplishment of a thing very greatly to the interest of the state, to compel her, as the price of the forbearance of the lobby, to convey to the Iron Mountain Railroad Company and other railway companies title to 273,000 acres of land granted to the state by the act of 1850 * * * Notwithstanding all that could be done, a majority of the committee recommended favorable action on the bill by the House only on condition that an amendment be adopted to the purpose that the confirmation should not be effective unless the state should, within one year, release to the railway companies or their assigns all title or claim to the said 273,000 acres of land. The bill, with this amendment pending, is now on the calendar of the House awaiting consideration." (See chapter on Railroads).

JONES' ADMINISTRATION

Daniel Webster Jones, nineteenth governor of Arkansas after the state was admitted into the Union, was born in Bowie County, Texas, December 15, 1839, a son of Dr. Issac N. and Elizabeth W. (Littlejohn) Jones. His maternal grandfather was a Scotchman, who served in the American army during the Revolutionary war. While Daniel was still in his early childhood his parents re-

moved to Washington, Arkansas. There he attended the Washington Academy, then conducted by Prof. B. J. Borden, under whose instruction he acquired a practical education.

Upon leaving the academy, young Jones began the study of law with John R. Eakin, afterward one of the justices of the Arkansas Supreme Court, but at the breaking out of the Civil war he laid aside his law books to enlist in Company A, Third Arkansas State Troops, commanded by Col. John R. Grâtiot. This regiment received its baptism of fire at the battle of Oak Hills (or Wilson's Creek), Missouri, August 10, 1861. Soon after that engagement he raised Company A, Twentieth Arkansas Infantry, and was elected captain. In July, 1862, he was promoted to major. At the battle of Corinth, Mississippi, October 4, 1862, he was shot through the body, the ball passing just below the heart, and was taken prisoner. Despite the dangerous nature of his wound he recovered. After his exchange he returned to his regiment and was promoted to the colonelcy, although only twenty-three years of age. The order for his promotion stated that it was "for gallant conduct upon the field." He commanded the regiment until the close of the war, except for the short time he was a prisoner after the fall of Vicksburg in July, 1863.

After the war Colonel Jones began the practice of law at Washington. In 1874 he was elected prosecuting attorney of the Ninth Circuit, but declined a reelection two years later. He was one of the presidential electors from the Second Congressional District in 1876 and in 1880 was one of the electors at large. At the state election in 1884 he was elected attorney-general and was reelected in 1886. In 1890 he was elected one of the representatives from Pulaski County to the lower house of the Legislature. He was elected governor in 1896 and again in 1898, serving two full terms. Upon retiring from the governor's office he practiced law in Little Rock until a short time before his death. His last public service was as a representative from Pulaski County in the legislative session of 1915. His death occurred on Christmas Day, 1918. He was buried in a Confederate uniform, to which he had pinned an American flag a short time before his death.

On February 9, 1864, Governor Jones married Miss Maggie P. Hadley, a daughter of James Hadley. She was born in Tipton County, Tennessee, but at the time of her marriage was living with her parents at Hamburg, Arkansas. Five children were born to this marriage—Claudius, Elizabeth Wilson, Bobbie Newton, Daniel Webster and Howard Hadley.

Governor Jones was inaugurated before a joint session of the two branches of the Legislature on January 18, 1897. In his inaugural address he recommended certain amendments to the election laws, the enactment of an insolvent law, a law to prohibit contracts requiring payment in gold, a reform school for boys, and the establishment of a railroad commission. Said he:

"Section 9, Article XIX, of the constitution provides that 'the General Assembly shall have no power to create any permanent state office not expressly provided for by this constitution.' Whether a railroad commission is such a state office as comes within this inhibition is a mooted question. To be on the safe side and to avoid the necessity for its judicial determination, I recommend the passage of an act creating the commission temporarily, to hold office until the adjournment of the next General Assembly, and defining its powers

and duties, and providing in the act that should there be submitted to the people of the state, at the next general election, an amendment to the constitution providing for and authorizing the creation of such offices; then, at such election there shall be elected by the people of the state railroad commissioners, who, upon the adoption of such amendment, shall hold office for definite terms to be fixed by the act."

Among the acts passed during the thirty-first session were the following: To authorize Pulaski County to fix tolls and apply the proceeds to the redemption of overdue bridge warrants issued for the building of the bridge over the Arkansas River at Little Rock; to establish county normal institutes; to provide for a quarantine against contagious diseases in domestic animals; to prevent the formation of trusts and combinations to control the production or price of commodities; and to authorize farmers to organize mutual insurance associations.

SPECIAL SESSION

On April 10, 1897, Governor Jones issued a proclamation calling the General Assembly to meet in extraordinary session on the 26th of April. The objects of the special session, as stated in the proclamation, were: To make appropriations for the several departments of the state government and the educational and charitable institutions; to amend the general election laws; to create a railroad commission; to make some provisions for an exhibit of the state's products at the Tennessee Centennial Exposition at Nashville, and the Trans-Mississippi Exposition at Omaha; and to enact a law by which state railroads might be built with convict labor.

The appropriations recommended by the governor were made; an appropriation of $12,500 was made for an electric light plant at the penitentiary; certain lands were granted to the Springfield, Little Rock & Gulf Railroad Company; the governor, auditor and attorney-general were created a state board with power "to locate, survey and build state railroads and telegraph lines, receive donations, employ convicts," etc. No action was taken upon the governor's recommendation regarding the creation of a railroad commission, probably for the reason that a constitutional amendment for that purpose had been submitted to the people by the preceding session, and the Legislature deemed it advisable to wait until the fate of that amendment had been decided at the general election in 1898.

CAMPAIGN OF 1898

Governor Jones was renominated by the Democrats in 1898, and the rest of the ticket was as follows: Alexander C. Hull, secretary of state; Clay Sloan, auditor; T. E. Little, treasurer; Jefferson Davis, attorney-general; J. J. Doyne, superintendent of public instruction; J. W. Colquitt, land commissioner; Frank Hill, commissioner of mines, manufactures and agriculture; J. E. Riddick, associate justice of the Supreme Court.

The Republicans nominated H. F. Auten for governor; H. H. Meyers, for secretary of state; A. J. Rowland, for auditor; A. L. Krewson, for treasurer; J. J. Henley, for attorney-general; L. R. Williford, for superintendent of public

instruction; G. M. French, for land commissioner; C. W. Cox, for commissioner of mines, manufactures and agriculture; James Brizzolara, for associate justice of the Supreme Court.

No nominations were made by the Populists and Prohibitionists except for the office of governor. The former nominated W. S. Morgan and the latter, Alexander McKnight. At the election on September 5, 1898, the vote for governor was as follows: Jones, 75,362; Auten, 27,524; Morgan, 8,332; McKnight, 679. Two constitutional amendments were voted on at this election. The first provided for the establishment of a railroad commission and the second conferred power on county courts to levy a tax, not exceeding three mills on the dollar, for the purpose of internal improvements. The former was adopted by a vote of 63,733 to 16,940, and the latter by a vote of 57,209, to 24,079.

The election for representatives in Congress was held on November 8, 1898. P. D. McCulloch, J. S. Little, T. C. McRae, W. L. Terry and S. Brundidge, Jr., were elected without opposition except a few scattering votes. In the Fifth District Hugh A. Dinsmore was opposed by J. T. Hopper, but was elected by a majority of 3,927.

THIRTY-SECOND LEGISLATURE

On Monday, January, 9, 1899, the thirty-second regular session of the General Assembly was convened in the capitol at Little Rock. M. J. Manning was elected president of the senate and A. F. Vandeventer, speaker of the house. Soon after the two houses were organized, Governor Jones was inaugurated for his second term. His message gave a general review of the work of his first term, particularly the part taken by Arkansas in the war with Spain, a full account of which is given in another chapter. The principal acts of the session were:

To fix the salaries of certain county officers; to amend the trust and quarantine laws; to create a railroad commission and directing the governor to appoint three persons, not interested in any railroad company, to serve until the next general election; to appropriate the sum of $10,500 to reimburse persons for money advanced to the governor to enable him to raise the two regiments called for by the United States for service in the Spanish-American war; to extend the charters of certain railroad companies whose lines were unfinished; to regulate the rates for weighing and marking cotton; to provide a more equitable method of weighing or measuring coal at the mines; to appropriate $24,650 for an infirmary at the lunatic asylum; to provide for a system of uniform textbooks to be used in the public schools of each county; to fund the state debt, and to restrict the sale of cocaine, etc.

The most important act of the session was the one providing for a new state capitol on the grounds occupied by the penitentiary. By this act the governor was authorized to appoint a board, composed of one member from each congressional district, to superintend the erection of the building; the penitentiary board was instructed to obtain a new site for the prison at some suitable point in Pulaski County, and an appropriation of $1,000,000 was made for the erection of the new capitol.

CAMPAIGN OF 1900

There was no dearth of presidential candidates in the campaign of 1900, no fewer than ten tickets being presented to the people for their support. The first national convention was held at Indianapolis, Indiana, March 6, 1900, by the Social Democratic party. Eugene V. Debs, of Indiana, was nominated for President, and Job Harriman, of California, for vice president.

Early in January, 1900, the national committee of the Union Reform party, a newly organized movement, sent out ballots to obtain the sentiment for candidates. These "referendum" ballots were returned to the committee during February and March and in April the committee announced the nomination of Seth H. Ellis, of Ohio, for President, and Samuel T. Nicholson, of Pennsylvania, for vice president.

A national convention of the United Christian party—an outgrowth of the "narrow-gauge" Prohibitionists—was held at Rockford, Illinois, on the 1st of May. Not more than half a dozen states were represented. Silas C. Swallow, of Pennsylvania, was nominated for President, and John G. Woolley, of Illinois, for vice president. They both declined and the places were filled by Jonah F. R. Leonard, of Iowa, and David H. Martin, of Pennsylvania.

Two conventions of the People's party (Populists) were held on the 9th of May. Those who had supported Mr. Bryan in 1896 met at Sioux Falls, South Dakota, and the "Middle of the Road" element met in Cincinnati. The former nominated William J. Bryan for President, and Charles A. Towne, of Minnesota, for vice president. The Cincinnati convention nominated Wharton Barker, of Pennsylvania, and Ignatius Donnelly, of Minnesota, for President and vice president, respectively.

On June 2, 1900, the national convention of the Social Labor party met in New York City. Joseph Malloney, of Massachusetts, was named as the candidate for President, and Valentine Remmel, of Pennsylvania, for vice president.

The Republican national convention met in Philadelphia on the 19th of June. President McKinley was renominated without opposition, and Theodore Roosevelt, of New York, was named for vice president. The platform indorsed the administration of Mr. McKinley, particularly the conduct of the war with Spain and the Dingley tariff, and renewed "our allegiance to the principle of the gold standard."

The National Prohibition party held its convention at Chicago on the 27th of June. John G. Woolley, of Illinois, was nominated for President, and Henry B. Metcalf, of Rhode Island, for vice president.

On the 4th of July the Democratic national convention assembled in Kansas City, Missouri. William J. Bryan was nominated for President, and Adlai E. Stevenson, of Illinois, was placed on the ticket as vice president. The platform declared adherence to the principles of bimetallism; favored a graduated income tax; denounced the Philippine policy of the McKinley administration; opposed militarism because "it means conquest abroad and intimidation and oppression at home;" and favored an amendment to the Federal Constitution providing for the election of United States senators by direct vote of the people.

About one hundred so-called "National Democrats" met in New York City

on the 5th of September and nominated Donelson Caffery, of Louisiana, for President, and Archibald M. Howe, of Massachusetts, for the vice presidency. This convention was not authorized by any party organization, but, like the tailors of Tooley Street, it declared that: "We, citizens of the United States, assembled for the purpose of defending the wise and conservative principles which underlie our Government," etc. This ticket received no votes in any of the states.

The presidential election was held on November 6, 1900. Six of the tickets received votes in Arkansas, to wit: Bryan and Stevenson, 81,142; McKinley and Roosevelt, 44,800; Debs and Harriman, 27; Woolley and Metcalf, 584; Barker gress elected from the six districts were: P. D. McCulloch, J. S. Little, T. C. and Donnelly, 972; Ellis and Nicholson, 341. The six representatives in Con- McRae, C. C. Reid, H. A. Dinsmore and Stephen Brundidge, Jr.

THE STATE ELECTION

Three candidates for governor of Arkansas were voted for at the state election on September 3, 1900, viz.: Jefferson Davis (Democrat), Harmon L. Remmel (Republican), and A. W. Files (Populist). The vote was as follows: Davis, 88,637; Remmel, 40,701; Files, 3,641.

According to the returns as shown in the report of the secretary of state, the other Democratic candidates were elected without opposition. They were: J. W. Crockett, secretary of state; T. C. Monroe, auditor; T. E. Little, treasurer; George W. Murphy, attorney-general; J. J. Doyne, superintendent of public instruction; J. W. Colquitt, land commissioner; Frank Hill, commissioner of mines, manufactures and agriculture; Carroll D. Wood, associate justice of the Supreme Court; J. G. Wallace, F. M. Hanley and Abner Gaines, railroad commissioners. This was the first time railroad commissioners were elected by the people.

A constitutional amendment, providing that sureties upon the bonds of all state officials shall be residents of the state, and that sureties upon the bonds of county officers shall reside in the county, and that such sureties must possess sufficient property, not exempt from sale under execution, to make good their bonds. The vote for the amendment was 65,825; against it, 23,033. It was declared adopted by the speaker of the house on January 17, 1901.

CHAPTER XVIII

FROM DAVIS TO DONAGHEY

DAVIS' ADMINISTRATION—THIRTY-THIRD—LEGISLATURE—STATE FLOWER ADOPTED—CAMPAIGN OF 1902—THIRTY-FOURTH LEGISLATURE—ELECTIONS OF 1904—THE STATE CAMPAIGN—THIRTY-FIFTH LEGISLATURE—CAMPAIGN OF 1906—LITTLE'S ADMINISTRATION—THIRTY-SIXTH LEGISLATURE—ACTING GOVERNORS—CAMPAIGN OF 1908—STATE TICKETS—DONAGHEY'S ADMINISTRATION—THIRTY-SEVENTH LEGISLATURE—CAMPAIGN OF 1910—THIRTY-EIGHTH LEGISLATURE—SPECIAL SESSION—CAMPAIGN OF 1912—THE STATE ELECTION.

Jefferson Davis, twentieth governor of the State of Arkansas, was born near Richmond, Little River County, Arkansas, May 6, 1862. When he was about seven years of age his parents, Lewis A. and Elizabeth Davis, removed to Russellville, Pope County, where he grew up to manhood. He was educated in the common schools and the University of Arkansas, but before completing his course in the latter institution he left it to enter the law department of Vanderbilt University, at Nashville, Tennessee. He was admitted to the bar before he attained his majority and began practice at Russellville. In 1890 he was elected prosecuting attorney of the Fifth Circuit and was reelected in 1892. In 1898 he was elected attorney-general for a term of two years and while holding that office was nominated as the Democratic candidate for governor, to which he was elected in September, 1900.

Mr. Davis was the second native son to be elected to the office of chief executive, and the only governor to be elected for three terms in succession. His third term expired on January 18, 1907, and in February he was elected United States senator to succeed James H. Berry, for the term beginning on March 4, 1907. Soon after taking his seat in the Senate, he shocked the "old-timers" by daring to make a speech. Senatorial dignity and tradition had established a precedent that a new senator should "be seen and not heard" during his first term. But Mr. Davis cared nothing for precedents. When he had anything to say, he said it.

In 1912 Mr. Davis was the choice of the people at the primary election for a second term as senator, but died before his nomination could be confirmed by the General Assembly. For several weeks before his death he had been taking a course of treatment to reduce his weight. Only a day or two before he died he was boasting to his law partner that he had lost in weight and was feeling much better as a result. At the supper table on the evening of January 2, 1913, he complained of feeling ill and a physician was summoned. Before his arrival, Mr. Davis was feeling better and the doctor stated that the ailment was nothing serious. The family retired early and shortly after midnight his son, Wallace Davis, heard him call and went to his room. Again

the physician was called, but just as he entered the room Mr. Davis fell back on his pillow and expired before relief could be administered.

Mr. Davis was twice married. His first wife was Miss Ina McKenzie, to whom he was married in Russellville in 1887. Twelve children were born to this marriage, eight of whom survived their father, viz.: Wallace, Bessie, Linah, Janie, Jeff, Jr., Ina, Lucille and Lewis. In December, 1911, Mr. Davis married Miss Leila Carter, who was still living in 1921, when this was written.

THIRTY-THIRD LEGISLATURE

The thirty-third session of the General Assembly began on January 14, 1901, and lasted until the 4th of May. Robert J. Wilson was elected president of the senate, and T. H. Humphreys, speaker of the house. On the 17th Governor Jones delivered his final message, reviewing the work of his administration, and immediately afterward Governor Davis was inaugurated. In his inaugural address he said:

"You are all more or less familiar with the anti-trust legislation of this state. The last General Assembly passed what at the time appeared to be an effective law, which I, as attorney-general of the state attempted to enforce according to the expressed will of the Legislature, but which was declared by the courts not sufficiently broad to cover the objects sought to be attained."

He therefore pointed out and recommended certain amendments to enable the attorney-general and the prosecuting attorneys of the state to obtain testimony, in order to render the law more easy of enforcement and thus secure the desired objects. On the subject of the new state capitol he said: "Believing that the act was unconstitutionally passed, that by its terms it is extravagant and unbusinesslike and that utimately it would necessitate the imposing of grievous burdens of taxation upon the people; I have done all in my power to prevent its execution, and while I am of the opinion that it would be better for the state to abandon the entire work as a bad investment rather than continue the same under the present plan of operation, yet in this as in all other matters, I shall not attempt to dictate your action, but shall ask your most earnest, thoughtful and patriotic consideration, and if upon a thorough investigation you should determine to proceed with the construction of the building, I earnestly suggest that you so amend the present act as to enable the state to place the construction of the same upon a safe and businesslike basis."

On January 23, 1901, the two houses met in joint session and elected James H. Berry United States senator for the term beginning on the 4th of the following March.

The principal acts of the session were: To authorize cities of the first and second classes to establish public libraries; to repeal the act of 1897 creating a state board for building state railroads; to increase the number of state senators to thirty-five; to divide the state into seven congressional districts; to provide for the organization of street railway and interurban traction companies; to prohibit false statements by banks and the receiving of money on deposit by insolvent banks; to adopt the apple blossom as the state flower; to prohibit students in the University of Arkansas from belonging to fraternities, or the employment of any one as an instructor in the university who was a

member of any such fraternity; to authorize the University of Arkansas to procure arms from the United States for the purposes of aiding in giving military instruction to the students.

CAMPAIGN OF 1902

Governor Davis was nominated for a second term by the Democrats in 1902 and the remainder of the ticket was made up as follows: John W. Crockett, secretary of state; T. C. Monroe, auditor; H. C. Tipton, treasurer; George W. Murphy, attorney-general; F. E. Conway, land commissioner; H. T. Bradford, commissioner of mines, manufactures and agriculture; J. H. Hinemon, superintendent of public instruction; B. B. Battle, associate justice of the Supreme Court; B. B. Hudgins, J. E. Hampton and Joseph W. Phillips, railroad commissioners.

In 1901 the Republicans of the state became divided over the appointment of a United States district attorney for the eastern district of Arkansas, and a little later over the appointment of a United States marshal for the western district. The two factions were known as the "Regulars" and "Insurgents." The split resulted in two candidates for governor being nominated in 1902. The "Regulars" nominated Harry H. Meyers and then completed the ticket by the nomination of the following: Charles T. Duke, secretary of state; John L. Smith, auditor; Joseph Berger, treasurer; Charles F. Cole, attorney-general; R. L. Floyd, superintendent of public instruction; W. H. Conine, land commissioner; F. S. Baker, commissioner of mines, manufactures and agriculture; Charles C. Waters, associate justice of the Supreme Court. No nominations were made for railroad commissioners.

The "Insurgents" nominated Charles D. Greaves for governor, but, according to the abstract of the vote as given in the secretary of state's report, no other candidates were nominated. Likewise the Prohibitionists nominated George H. Kimball for governor, but nominated no candidates for the other state offices.

The state election was held on September 1, 1902, and the vote for governor was as follows: Davis, 77,354; Meyers, 29,251; Greaves, 8,345; Kimball, 4,791. The other Democratic candidates, having less opposition, were all elected by larger pluralities than that received by Governor Davis. An amendment to the constitution, providing that the pay and mileage of members of the Legislature might be fixed by law, etc., was voted on at this election. The vote for the amendment was 45,598 and against it, 43,982, hence it failed of adoption for want of the necessary majority.

This year, for the first time, Arkansas was entitled to seven representatives in Congress. Those elected on November 4, 1902, from the seven districts, in order, were: R. B. Macon, Stephen Brundidge, Jr., H. A. Dinsmore, John S. Little, Charles C. Reid, Joe T. Robinson and R. M. Wallace.

THIRTY-FOURTH LEGISLATURE

On January 12, 1903, the Thirty-fourth General Assembly met in Little Rock and continued in session until the last day of April. Joseph L. Short

presided over the senate and John I. Moore was speaker of the house. On the 14th Governor Davis was inaugurated for his second term. A large part of his inaugural message was devoted to the purchase of what is known as the Cummins place for a convict farm for a consideration of $140,000, of which $30,000 had been paid. Said he:

"I insist that the penitentiary board had no right to make a cash purchase under the act of 1897; I insist that this $30,000 was money belonging to the state and could only be paid out on warrants drawn on the treasury, where the money ought properly to have been. The financial agent had no business carrying the money around in his pockets, depositing it in private banking houses. He had no right to keep the money in his possession. We have in this one transaction the magnificent spectacle of a $30,000 payment of money without any bookkeeping being kept on the part of the state. If in your judgment, you find that the state has not the right to cancel this contract and at the same time recover the $30,000 paid, my judgment is that you had better afford to lose the $30,000, count it as money foolishly and recklessly spent, and abandon this entire scheme and you yourself through a proper channel, after a change of the present law, purchase a convict farm that will not carry with it the idea that the state has been robbed in its purchase."

The governor again called attention to the necessity for the passage of an anti-trust law and recommended the King Bill, introduced at the preceding session, but which failed to pass. He also urged the establishment of a reform school for juvenile criminal offenders, and advised a delay of two years in the construction of the capitol building.

It seems that the Legislature did not agree with the governor in his views, as no action was taken regarding a convict farm; no anti-trust law was passed; and the Assembly passed an act to complete the new capitol, by creating a new board of commissioners, composed of "five successful business men, no two of whom shall be from the same congressional district," to be elected by the two houses of the Legislature in joint session.

Other acts of the session were: Declaring the first Monday in September a public holiday, known as Labor Day; requiring railroad companies to maintain track scales at stations where as many as one thousand carloads of freight are shipped or received annually; ceding to the United States jurisdiction over that part of the Hot Springs reservation known as Hot Springs Mountain, describing the boundary lines, etc.; appropriating $5,000 for a Confederate monument; requiring street railway companies to provide separate seating accommodations for white and colored passengers; authorizing school districts to borrow money for the erection of buildings; appropriating $140,000 for additional buildings at the insane asylum; prohibiting child labor in factories, except under certain restrictions; appropriating $50,000 for an Arkansas exhibit at the Louisiana Purchase Exposition to be held in St. Louis in 1904; ceding to the United States jurisdiction over the Federal jail, hospital and cemetery at Fort Smith, and authorizing the Supreme Court to grant license to practice to graduates of the law department of the University of Arkansas without an examination.

Two constitutional amendments were submitted to the people, to be voted on at the state election in 1904, to wit: First, to increase the number of justices of the Supreme Court to six and divide the court into two divisions, with three

judges in each; second, to prohibit the state, counties, cities and towns from loaning their credit, or from issuing bonds unless authorized by popular vote.

ELECTIONS OF 1904

Seven national tickets were presented to the voters of the United States in 1904. The first party to hold a national convention was the Socialists. It met in Chicago on Sunday, May 1, 1904, and continued in session all week. Eugene V. Debs, of Indiana, was nominated for President, and Benjamin Hanford, of New York, for Vice President.

The Republican national convention met in Chicago on the 21st of June. Theodore Roosevelt, of New York, was selected as the party's standard bearer and the candidate for President, and Charles W. Fairbanks, of Indiana, was nominated for Vice President. The convention aroused but little interest, as the result had been forecast for months, at least so far as the nomination of Mr. Roosevelt was concerned.

On June 29, 1904, the Prohibition national convention met in Indianapolis, Indiana, with over seven hundred delegates in attendance. Silas C. Swallow, of Pennsylvania, was nominated for President, and George W. Carroll, of Texas, for Vice President.

The Socialist Labor party held its national convention in New York City, beginning on the 2nd of July. Only forty-one delegates composed the convention. Charles H. Corrigan, of New York, and William W. Cox, of Illinois, were nominated for President and Vice President, respectively.

The Populists held their national convention in Springfield, Illinois, opening on the 4th of July. Thomas E. Watson, of Georgia, one of the Populist "wheelhorses," was nominated for President, and Thomas H. Tibbles, of Nebraska, for Vice President.

On the 6th of July the Democratic national convention assembled in Chicago. Mr. Bryan had been twice named as the party's candidate for the Presidency and had been twice defeated. The conservative element of the party now demanded the nomination of some one less radical than Mr. Bryan on a "safe and sane" platform. Alton B. Parker, of New York, was chosen as the candidate for President, and Henry G. Davis, of West Virginia, was nominated for Vice President.

On the last day of August a number of persons met in Chicago and organized the "Continental" party, the object of which was stated "to unite the disaffected of all parties." Charles H. Howard, of Illinois, was nominated for President, and George H. Shirley, of the District of Columbia, for Vice President. This ticket did not receive enough votes in any of the states to figure in the official returns.

THE STATE CAMPAIGN

Four candidates for governor were nominated in Arkansas in 1904. Jefferson Davis was nominated for a third term by the Democrats; Harry H. Meyers was again nominated by the Republicans; William Penrose was the candidate of the Socialist party; and J. E. Wilmans was nominated by the Prohibitionists.

The official returns of the election indicate that the Democrats were the only party to nominate a full ticket, to wit: O. C. Ludwig, secretary of state; Avery E. Moore, auditor; H. C. Tipton, treasurer; Robert L. Rogers, attorney-general; J. H. Hinemon, superintendent of public instruction; F. E. Conway, land commissioner; H. T. Bradford, commissioner of mines, manufactures and agriculture; Joseph M. Hill, chief justice of the Supreme Court; E. A. McCulloch, associate justice; J. E. Hampton, B. B. Hudgins and Joseph W. Phillips, railroad commissioners.

At the state election on September 5, 1904, the vote for governor was as follows: Davis, 91,991; Meyers, 53,898; Wilmans, 2,527; Penrose, 1,364. The Democratic candidates for the other state offices were elected without opposition and both proposed amendments to the constitution were defeated.

The presidential election was held on November 8, 1904. Parker and Davis received 64,434 votes; Roosevelt and Fairbanks, 46,860; Watson and Tibbles, 2,318; Debs and Hanford, 1,816; Swallow and Carroll, 993. Seven Democratic congressmen were elected, viz.: R. B. Macon, Stephen Brundidge Jr., J. C. Floyd, J. S. Little, Charles C. Reid, Joe T. Robinson and R. M. Wallace.

THIRTY-FIFTH LEGISLATURE

On January 9, 1905, the Thirty-fifth General Assembly met in regular session. Alonzo W. Covington was elected president of the senate, and William W. Cate, speaker of the house. Governor Davis' message was delivered to a joint session on the 11th. In it he congratulated the state upon being in most prosperous condition financially for many years. "We have arrived," said he, "at that point in the history of Arkansas when her financial standing is better, perhaps, than any other state in the South. We are today out of debt, that is, we have but $12,500 of bonds outstanding and we have nearly one million dollars to the credit of the general revenue fund. We would pay this $12,500 in the twinkling of an eye if we could find it. * * * The valuation of property in this state for the purpose of taxation, as returned by the citizens themselves to the various tax officers, has increased more than fifty million dollars in the last four years. The state is in such a condition that it brings us face to face with this proposition: Can we not at this time decrease the state taxes? Cut it half in two if you please. We do not need the money, it is wrong to pile it up in the state treasury and keep it there as a constant menace and temptation to our officials, if not to be used corruptly, to incite reckless expenditures and reckless appropriations."

On the subject of the new capitol building the governor said: "I cannot refrain at every opportunity, however slight, from giving a dig at this scheme that I think the most iniquitous that was ever perpetrated upon this state. Not the fact of building a new state house; that is all right, but building it on the site selected and under the plans adopted. There has been collected from the taxpayers of this state $628,212.72. Of this amount there has been spent $339,391.80 and still we have not enough state house to create a suspicion. This does not take into account the vast amount of convict labor used up to the present time. * * * Either you or some other session of this honorable body will be called upon to make vastly increased appropriations for this pur-

pose. The Legislature at the last session, in its wisdom, saw proper to take the whole matter out of the hands of the governor and place it in the hands of a committee selected by themselves. The whole responsibility in this matter rests with you, and you alone."

The principal acts of the session were: To fix the salaries of certain county officers; to provide for the observation of January 19th—Gen. Robert E. Lee's birthday—in the public schools of the state; to extend the western boundary of the state, in accordance with an act of Congress, to include certain territory formerly belonging to the Indian Territory; to appropriate $15,000 for an annex to the Confederate Soldiers' Home; to declare ten hours a lawful day's work in saw and planing mills; to establish a Reform School; to create the Arkansas History Commission; to prohibit public executions; to protect labor unions in the use of a label, etc., and to authorize the city council of North Little Rock to change the name by ordinance.

CAMPAIGN OF 1906

In the state campaign of 1906 the Democrats nominated John S. Little for governor; O. C. Ludwig, secretary of state; Avery E. Moore, auditor; James L. Yates, treasurer; William F. Kirby, attorney-general; J. J. Doyne, superintendent of public instruction; Lafayette L. Coffman, land commissioner; Guy B. Tucker, commissioner of mines, manufactures and agriculture; J. E. Riddick, associate justice of the Supreme Court; John W. Crockett, J. E. Hampton and R. P. Allen, railroad commissioners.

Mr. Little was the only candidate on the above ticket who had any opposition. The Republicans nominated John I. Worthington for governor, the Prohibitionists nominated John G. Adams and the Socialists nominated Daniel Hogan. The election was held on September 3, 1906, and the vote for governor was as follows: Little, 105,586; Worthington, 40,784; Adams, 3,293; Hogan, 2,185.

An amendment to the constitution was voted on at this election. It conferred upon the Legislature the power to increase by general law the school tax from two to three mills on the dollar, and to increase the tax in any school district from five to seven mills. On January 17, 1907, the speaker of the house announced that 92,969 votes had been cast in favor of the amendment, to 47,368 against it, and declared it adopted.

The election for representatives in Congress was held on the 6th of November. Seven Democratic congressmen were elected, viz.: R. B. Macon, S. Brundidge, Jr., J. C. Floyd, Benjamin Cravens, Charles C. Reid, Joe T. Robinson and R. M. Wallace.

LITTLE'S ADMINISTRATION

John Sebastian Little, twenty-first governor of the State of Arkansas, was born in the little Village of Jenny Lind, Sebastian County, Arkansas, March 15, 1851, a son of Jesse and Mary E. (Tatum) Little. His early education was acquired in the common schools, after which he was a student for some time at Cane Hill College, but did not graduate. He then taught school for three terms, studying law during his vacations in the office of C. B. Neal.

In 1873 he was admitted to the bar at Greenwood. The next year he located at Paris, Logan County, where he was engaged in general practice until elected prosecuting attorney in May, 1877. He was reëlected in 1878, 1880 and 1882. Returning to Sebastian County, he was elected one of that county's representatives to the Legislature in 1884. Two years later he was elected judge of the Twelfth Circuit for a term of four years. At the expiration of that term he resumed the practice of law until 1894, when he was elected representative in Congress to fill the unexpired term of Clifton R. Breckinridge. He was reëlected to Congress at each succeeding biennial election until 1904, and in 1906 he was elected governor. He was inaugurated on January 18, 1907.

Soon after his inauguration he suffered a nervous collapse which rendered him incapable of attending to his official duties. On January 21, 1907, only three days after his inauguration, the house of representatives adopted the following resolution:

"Whereas, it has come to the knowledge of this house that Hon. John S. Little, governor of this state, was stricken with heart failure this morning, and

"Whereas, it is reported that he is this afternoon dangerously ill at his home in this city, be it

"Resolved, That this house hears with deep regret these facts and tenders the chief executive and his family the heartfelt sympathy of its members."

Later during the session a bill was passed to pay the governor his salary during his illness and absence from the state, and that "a sufficient sum of money be and is hereby appropriated out of the treasury of the state not otherwise appropriated for the purpose of carrying into effect the provisions of this act."

Late in July, 1908, Governor Little was taken to a sanitarium at St. Joseph, Missouri, for treatment. There he made a slight improvement and after a few months was brought back to his home. His recovery was not complete, however, and he was finally taken to the Arkansas Hospital for Nervous Diseases, where his death occurred on October 29, 1916.

In January, 1877, Governor Little married Miss Elizabeth J., daughter of Pleasant and Elizabeth Irwin, of Logan County, who, with three sons and two daughters, survived him. These children were: Paul, Thomas E., Jesse E., Mrs. H. B. Patterson and Mrs. M. W. Wallace.

THIRTY-SIXTH LEGISLATURE

This Legislature met on January 14, 1907, and organized by electing John I. Moore president of the senate, and Allen H. Hamiter speaker of the house. On the 18th Governor Davis delivered his farewell message, giving a review of his administration. At its conclusion an adjournment was taken until 2 P. M., when Governor Little was inaugurated. In his message he urged the importance of establishing high schools for the benefit of the school population outside of the cities; advocated a textile school for the study of cotton manufacture, with a view to encouraging the establishment of cotton mills in the state; recommended a passenger rate of two cents a mile on all railroads in the state, and the enactment of a law for the suppression of "bucket shops." Concerning the new state capitol he said:

"There has been much contention throughout the state as to the advisability of the state embarking upon this great undertaking, but in my opinion the state has now reached a point in its expenditures for this purpose, that it is no longer a question whether we believe the policy a wise one or not when adopted. * * * The rapidly increasing business of the state and the need for room in the various departments and the preservation of the records of the state make it desirable that this building should be completed and made ready for occupancy as soon as practicable under the contract."

Four hundred and sixty acts were passed by this Legislature, many of them providing for the establishment of railroad stations and building depots at various places. An employers' liability act was passed; the sum of $3,000 was appropriated to supply artificial limbs for ex-Confederate soldiers; the powers of the railroad commission were enlarged; the time of holding the state election was changed to the second Monday in September, beginning in 1908; January 19th, the anniversary of the birth of Gen. Robert E. Lee, was declared a legal holiday; the salary of the governor was increased to $4,000 per annum; state officers and members of state boards were prohibited from expending more money than the sum appropriated, and an act regulating the removal of county seats was passed. Another act fixed passenger rates on railroads less than fifteen miles in length at five cents per mile; on railroads from fifteen to eighty-five miles in length, three cents per mile; on all railroads over eighty-five miles long, two cents per mile. Also an act was passed to prevent betting on horse races; and one to prohibit dealing in futures on agricultural products.

Two constitutional amendments were submitted to the people, to be voted on at the state election in 1908. The first provided that every voter must show a receipt for poll tax before he would be permitted to vote, and the second authorized counties, cities and towns to issue bonds for public improvements.

At the primaries in March, 1906, Gov. Jefferson Davis was indorsed for United States senator and on January 30, 1907, he was elected by a joint session of the two houses of the General Assembly.

ACTING GOVERNORS

When Governor Little fell ill at the beginning of his term, he tried for a time to discharge his executive duties, but on February 11, 1907, he wrote to John I. Moore, president of the senate, asking him to assume the duties of acting governor. Mr. Moore was a native of Mississippi; a graduate of the University of Arkansas in the class of 1881; located in Helena, where he began the practice of law; was elected to lower house of the Legislature in 1882; served as county judge of Phillips County from 1894 to 1900; was elected to the Legislature in 1900 and again in 1902; was speaker of the house during the session of 1903. In 1904 he was elected to the state senate and at the opening of the session in January, 1907, he was chosen president of the senate. From February 11 to the adjournment of the Legislature on May 14, 1907, he served as acting governor.

X. O. Pindall was a candidate for the nomination of attorney-general against William F. Kirby in the primaries of 1906, and many of his friends believed he had received a majority of the votes. They urged him to contest the nomination,

but when the Democratic state convention met at Hot Springs, he seconded a motion to make Mr. Kirby's nomination unanimous, stating that party harmony outweighed selfish interest, thus increasing the number of his political friends.

Early in the legislative session of 1907, Senator Howard Robb, representing the district composed of Desha and Drew counties, was stricken with pneumonia and died. Mr. Pindall was elected as his successor at a special election and just before the adjournment of the General Assembly was elected president pro tempore of the senate. On May 15, 1907, he became acting governor and served until January 11, 1909, when Jesse M. Martin, of Pope County, was elected president of the senate and thereby became acting governor until the inauguration of Governor Donaghey three days later.

CAMPAIGN OF 1908

Seven presidential tickets were placed in the field in 1908. The first national convention was that of the Populist party, which met in St. Louis on the 2nd of April. Thomas E. Watson, of Georgia, was nominated for President, and Samuel W. Williams, of Indiana, for Vice President.

On May 10, 1908, the Socialist national convention met in Chicago. Eugene V. Debs and Benjamin Hanford, who had been the candidates of this party for President and Vice President in 1904, were renominated without opposition.

The Republican national convention met in Chicago on the 16th of June. It was generally known that President Roosevelt favored the selection of William H. Taft, of Ohio, for the presidential nominee and he was accordingly nominated. James S. Sherman, of New York, was named for Vice President.

The Socialist Labor party held a national convention in New York City on July 2, 1908. August Gilhaus, of New York, was nominated for President, and Donald L. Munro, of Virginia, for Vice President.

On July 7, 1908, the Democratic national convention assembled in Denver, Colorado. After a spirited contest over the adoption of a platform, William J. Bryan, of Nebraska, was for a third time nominated as the candidate for President, and John W. Kern, of Indiana, was nominated for Vice President.

The Prohibitionists held their national convention in Columbus, Ohio, opening on the 15th of July. Eugene W. Chafin, of Illinois, was nominated for President, and Aaron S. Watkins, of Ohio, for Vice President.

The Independence party—the outgrowth of William R. Hearst's "Independence League"—met in national convention in Chicago on the 27th of July. Thomas L. Hisgen, of New York, was nominated for President, and for Vice President, John Temple Graves, of Georgia, was nominated without opposition.

STATE TICKETS

In Arkansas the Democratic state convention nominated George W. Donaghey for governor; O. C. Ludwig, secretary of state; John R. Jobe, auditor; James L. Yates, treasurer; Hal L. Norwood, attorney-general; George B. Cook, superintendent of public instruction; Lafayette L. Coffman, land commissioner; Guy B. Tucker, commissioner of mines, manufactures and agriculture; Carroll D. Wood and J. C. Hart, associate justices of the Supreme Court; John W. Crockett, R. P. Allen and J. E. Hampton, railroad commissioners.

John I. Worthington was again nominated by the Republicans for governor; T. O. Fitzpatrick, for secretary of state; A. A. Kiefer, for auditor; W. B. Burrows, for treasurer; F. O. Youmans, for attorney-general; J. H. Edwards, for land commissioner; W. P. Spear and E. H. Vance, for associate justices of the Supreme Court; E. F. Klein, K. A. Norman and Henry Thance, railroad commissioners. No nominations were made for superintendent of public instruction and commissioner of mines, manufactures and agriculture.

The Socialists nominated J. Sam Jones for governor, but made no other nominations. At the election on September 14, 1908, Donaghey received 110,878 votes; Worthington, 45,409; Jones, 6,787. The amendment to the constitution providing that each voter must show a receipt for poll tax, etc., was adopted by a vote of 88,386 to 46,825, but the amendment authorizing counties and municipalities to issue bonds for public improvements was defeated by a vote of 90,304 to 39,368.

The presidential election was held on November 3, 1908. Bryan and Kern received 87,015 votes; Taft and Sherman, 57,760; Debs and Hanford, 5,842; Chafin and Watkins, 1,194; Watson and Williams, 1,026; Hisgen and Graves, 289. Seven Democratic congressmen were elected, viz.: R. B. Macon, W. A. Oldfield, J. C. Floyd, Benjamin Cravens, Charles C. Reid, Joe T. Robinson and R. M. Wallace.

DONAGHEY'S ADMINISTRATION

George W. Donaghey, twenty-second governor of Arkansas after the state was admitted into the Union, was born at Oakland, Louisiana, July 1, 1856. While he was still in his infancy his parents removed to Union County, Arkansas, and in 1874 to Faulkner County, where they passed the remainder of their lives.

George W. left home when he was about sixteen years old and went to work on a farm in Texas for $12.50 a month and his board. He also worked as a section hand on a railroad and "punched cattle" as a cowboy. While thus engaged he managed to obtain a practical education by attending the common schools as opportunity offered and later he was a student for some time at the University of Arkansas, but took no degree.

In 1874, when his parents removed to Faulkner County, he went to Conway, where he began learning the trade of carpenter. While serving his apprenticeship he studied architecture and structural engineering, becoming proficient in both. In the course of time he became a contractor and erected a number of buildings in Arkansas, Louisiana, Oklahoma and Texas, among which may be mentioned the court-house at Fayetteville and six of the buildings of the University of Arkansas. His activities in the contracting line led him into general construction work. He was one of the principal contractors in the building of the Choctaw, Oklahoma & Gulf Railroad (now a part of the Rock Island system); the Midland Valley Railroad, from Oklahoma into Kansas; and the Hot Springs branch of the Chicago, Rock Island & Pacific, which runs between Benton and Hot Springs.

In his early manhood Mr. Donaghey became actively identified with the Democratic party and held several local offices. He was the nominee of his

party for governor in 1908 and was elected by more than fifty thousand majority. At that time the new state capitol was under construction. Governor Donaghey's experience as a builder enabled him to see where important changes were necessary to improve the appearance and general utility of the edifice. In 1910 he was reëlected governor and served a second term of two years.

Largely through his influence, Hendrix College, the Central Baptist College and the State Normal School were located at Conway, making that town one of the leading educational centers of Arkansas. Since his retirement from the office of governor in January, 1913, he has maintained his interest in Hendrix College and has used his influence to promote the welfare of that institution. Although he has done some contracting since 1913, his principal occupation has been looking after his banking connections. He took an active part in securing the location of Camp Pike near Little Rock during the World war and in the movement to secure the new bridges over the Arkansas River at Little Rock. For some time he was a member of the state board of charities and corrections, and in 1921 Governor McRae appointed him as a member of the board of control.

On September 20, 1883, in Lonoke County, Governor Donaghey was united in marriage with Miss Louvinia Wallace, a native of South Carolina, but whose parents, James and Eunice Wallace, located in Lonoke County when she was a child.

THIRTY-SEVENTH LEGISLATURE

The Thirty-seventh General Assembly was in session from January 11 to May 12, 1909. During the session Jesse M. Martin, of Pope, County, was president of the senate, and F. E. Brown, of Prairie County, was speaker of the house. On the 13th Acting Governor Pindall's message was delivered to a joint session of the two houses. As under the act of 1907 the governor's salary was paid to Governor Little during his disability, Mr. Pindall explained that he had borrowed money from the banking house of W. B. Worthen & Company to pay his own salary and house rent, and turned over the vouchers, etc., to the Legislature.

On the 14th the vote of the general election of 1908 was canvassed by the Legislature and that afternoon Governor Donaghey and the new state officers were inducted into office. In his inaugural address Governor Donaghey said:

"In my past life of work, my practice has been to do the things I had to do with whatever I had to do them with. By personal experience, I have often found the rejected stone the best material. Of my own knowledge, I know that he who continually quarrels with his tools is a poor workman. I have seen men with sense and energy literally move mountains. All these things came to me in a practical way; and having seen what efficiency can accomplish in industrial and business affairs, I am now prepared to believe that even so important a work as statecraft is only an intensely practical matter."

It was this sense of the practical that enabled Governor Donaghey to give to the State of Arkansas an administration fruitful of good results. When problems presented themselves, he looked upon them from the practical viewpoint and then applied a practical solution. This is especially true with regard to

his supervision of the erection of the capitol building, a history of which is given in another chapter.

A large number of the acts passed during the session were of local significance, such as establishing drainage and school districts, requiring railroad companies to establish stations at certain points, etc. Of the general acts passed the most important were: To create the Arkansas Tax Commission and define its powers and duties; to grant greater powers to cities of the first class in the matter of public improvements; to require corporations to pay their employees at least twice each month; to regulate the sale of lightning rods, clocks, steel stove ranges, vehicles, etc., by traveling agents and requiring said agents to pay a license fee of $200 in each county; to suppress night-riding, destruction of property or intimidation of persons by unlawful conspiracies; to extend the jurisdiction of the railroad commissioners; to establish and maintain public schools of agriculture; to regulate primary elections and provide penalties for violation of the primary law; to change the name of the lunatic asylum to the state hospital for nervous diseases; to establish a tuberculosis sanitarium, appropriating $50,000 for buildings and $30,000 for maintenance; to prohibit the carrying of concealed weapons; to create the Vicksburg Military Park Commission to locate and mark the location of Arkansas commands at the siege of Vicksburg; to define the duties of the Arkansas History Commission and provide for quarters in the state capitol.

An appropriation of $6,250 was made to pay the notes and interest due W. B. Worthen & Company for money advanced to pay the salary of Acting Governor Pindall, and two constitutional amendments were submitted to the people, to be voted on at the state election in 1910. The first of these amendments provided for the initiative and referendum and the second authorized the exemption of cotton factories from taxation for a period of seven years.

CAMPAIGN OF 1910

Governor Donaghey was renominated by the Democrats in 1910 and the rest of the ticket was made up as follows: Earle W. Hodges, secretary of state; John R. Jobe, auditor; John W. Crockett, treasurer; Hal L. Norwood, attorney-general; George B. Cook, superintendent of public instruction; Reuben G. Dye, land commissioner; Fred H. Phillips, commissioner of mines, manufactures and agriculture; William F. Kirby, associate justice of the Supreme Court; R. P. Allen, G. W. Bellamy and W. F. McKnight, railroad commissioners.

The Republicans nominated A. I. Roland for governor; O. N. Harkey, secretary of state; J. C. Smith, auditor; R. S. Granger, treasurer; J. B. Cox, attorney-general; W. Townsend, superintendent of public instruction; Floyd Thompson, land commissioner; Samuel R. Young, commissioner of mines, manufactures and agriculture; B. F. Henley and Ira Mack, railroad commissioners. No candidate was nominated for associate justice and only two candidates for railroad commissioners.

Daniel Hogan was nominated by the Socialists for governor, but in the returns as canvassed by the Legislature and reported by the secretary of state no names of Socialist candidates for the other offices appear.

The state election was held on September 12, 1910. For governor, Donaghey received 101,612 votes; Roland, 39,770; Hogan, 9,136. The constitutional

amendment providing for the initiative and referendum was adopted by a vote of 91,367 to 39,111. The amendment providing for the exemption of cotton factories from taxation received 73,711 votes and 45,697 were cast against it. Although it received a majority of the votes cast on the question, it failed to receive a majority of all the votes cast and therefore was not adopted.

Seven Democratic congressmen were elected on November 8, 1910, viz.: R. B. Macon, W. A. Oldfield, J. C. Floyd, Benjamin Cravens, H. M. Jacoway, Joe T. Robinson and W. S. Goodwin.

THIRTY-EIGHTH LEGISLATURE

On January 9, 1911, the thirty-eighth regular session of the General Assembly was convened. H. K. Toney, of Jefferson County, was chosen to preside over the senate, and R. F. Milwee, of Monroe County, was elected speaker of the house. Governor Donaghey was inaugurated on the 12th for his second term. In his inaugural message he said:

"My term as governor began at a time when our treasury was greatly depleted. For several years the future had been borrowed from to meet the pressing exigencies of the state government. Year by year the threatened deficit had been growing greater. Pay-day was bound to come. We have it with us now. * * * At the meeting of the last Legislature the future revenues of the state had been borrowed and used to the amount of $200,000. The General Assembly appropriated for various purposes in the neighborhood of $750,000 more than the state's income for the biennial period. This, with the amount already borrowed from the future, made the threatened deficit of the general revenue fund about $1,000,000. * * * With the exercise of care and wisdom in your appropriations during this session, and by a wise revision of the revenue laws, these difficulties can be avoided in the future and our revenues increased so that we can keep pace with the march of progress in other states."

Among the principal acts passed at this session were: "To create a state department of health, consisting of a commissioner and an advisory board of seven members—one from each congressional district; to amend the primary election law relative to the selection of judges and clerks, and to make provision for contesting any election; to create the capitol art commission, composed of the governor and four citizens appointed by him, to have charge of the decoration of the building and grounds; to tax the franchises of corporations doing business in Arkansas; to appropriate $20,000 for a new laundry at the Deaf Mute Institute; to establish juvenile courts in the several counties of the state; to declare general election days, June 3d (Jefferson Davis' birthday) and October 12th (Columbus Day) legal holidays; to provide for the registration of motor vehicles, the owner to pay a registration fee of $5; to regulate the assessment of railroads, express, sleeping car, telegraph and telephone companies; to create a state high school board, to provide aid for high schools; to appropriate $2,000 for the manufacture and distribution of hog cholera serum.

SPECIAL SESSION

The Legislature adjourned without revising the revenue laws as recommended by the governor, and it also failed to make the necessary appropriations for

the various departments of the state government and the charitable institutions in accordance with the governor's views. Consequently, on May 13, 1911, the very day the Legislature adjourned, Governor Donaghey issued his proclamation calling the General Assembly to meet on the 22nd. He specified the purposes for which the General Assembly was so convened to be as follows:

"1. To revise the revenue laws of the state so as to provide sufficient revenue to meet the expenses of the state government, and to distribute the burdens of taxation and reduce taxation.

"2. To pass an act to make effective the constitutional amendment providing for the initiative and referendum.

"3. To pass a law abolishing the convict lease system and providing for the proper management and control of the state penitentiary.

"4. To make appropriations to pay the balance due the state accountants in the rate cases of $2,500 and to pay the actual court costs not attorney's fees ($12,500) for appealing the rate cases to the Supreme Court of the United States.

"5. To make necessary provision for transferring the Supreme Court and the state treasurer's office to the new capitol.

"6. To make appropriations to maintain the several departments of the state government.

"7. To make appropriations to support the state charitable institutions, so that said appropriations for the support of the state government and all these institutions may not exceed the available revenue for those purposes."

The special session passed a new revenue law of 128 sections; appropriated $30,000 to pay the expense of transferring the Supreme Court and the state treasurer's office; and passed an act to carry into effect the initiative and referendum amendment to the constitution, but the Assembly refused to make any changes in the general appropriations made at the regular session.

CAMPAIGN OF 1912

On June 18, 1912, the Republican national convention assembled in Chicago. The leading candidates for the Presidency were William H. Taft, who was then President and a candidate for reëlection, and former President Theodore Roosevelt. The latter's friends charged the Taft managers with using unfair methods in seating delegates, etc., and 344 of the 1,078 delegates refused to take part in the proceedings of the convention. Mr. Taft was nominated on the first ballot, receiving 540 votes to 107 for Roosevelt, with sixty votes scattering. Vice President James S. Sherman was also renominated but died a short time before the election and the vacancy on the ticket was filled by the selection, by the national committee, of Nicholas M. Butler, of New York.

The Democratic national convention met in Baltimore, Maryland, on the 25th of June. For several days a deadlock existed in the nomination of a candidate for President, but on the forty-sixth ballot Woodrow Wilson, of New Jersey, received the necessary two-thirds of the delegates and was declared the nominee. Thomas R. Marshall, of Indiana, was nominated for Vice President.

The ill feeling developed at Chicago at the time of the Republican national convention resulted in the formation of the "Progressive" party, which held a

national convention in Chicago, August 5-7, 1912. Theodore Roosevelt, of New York, was nominated for President, and Hiram Johnson, of California, for Vice President.

Of the minor parties, the Socialists again nominated Eugene V. Debs, of Indiana, for President, and Emil Seidel, mayor of Milwaukee, Wisconsin, for Vice President. The Prohibitionists nominated Eugene W. Chafin, of Illinois, and Aaron S. Watkins, of Ohio, for President and Vice President, respectively. The Socialist Labor party nominated Arthur E. Reimer, of Massachusetts, for President, and August Gilhaus, of New York, for Vice President.

THE STATE ELECTION

In Arkansas the Democrats nominated Joe T. Robinson for governor; Earle W. Hodges, secretary of state; John M. Oathout, auditor; John W. Crockett, treasurer; William L. Moose, attorney-general; George B. Cook, superintendent of public instruction; Reuben G. Dye, land commissioner; John H. Page, commissioner of mines, manufactures and agriculture; E. A. McCulloch, chief justice; Frank G. Smith, associate justice; George W. Bellamy, W. F. McKnight and J. S. Rowland, railroad commissioners.

The personnel of the Republican state ticket was as follows: Andrew I. Roland, governor; H. H. Houghton, secretary of state; Charles T. Duke, auditor; B. J. Rosewater, treasurer; S. S. Langley, attorney-general; O. D. Longstreth, superintendent of public instruction; Frank Burns, land commissioner; S. R. Young, commissioner of mines, manufactures and agriculture. Durand Whipple, associate justice of the Supreme Court; T. N. Acheson, J. A. Dudgeon and F. J. Reutelhuber, railroad commissioners. No nomination was made for chief justice.

G. E. Mikel was nominated by the Socialists for governor, but no other nominations were made. At the state election on September 9, 1912, the entire Democratic ticket was elected, the vote for governor being as follows: Robinson, 109,825; Roland, 46,440; Mikel, 13,384.

The presidential election was held on the 5th of November. Wilson and Marshall received 68,838 votes; Taft and Butler, 24,467; Roosevelt and Johnson, 21,673; Debs and Seidel, 8,153; Chafin and Watkins, 898. Representatives in Congress were also elected from the seven districts at this election, to wit: T. H. Caraway, W. A. Oldfield, J. C. Floyd, Otis T. Wingo, H. M. Jacoway, S. M. Taylor and W. S. Goodwin—all Democrats.

At the state election in September four constitutional amendments were voted on by the electors. The first provided that voters should be able to read and interpret, or interpret when read, any section of the constitution of Arkansas and show a receipt for poll tax before being permitted to vote. This amendment was lost by a vote of 74,950 to 51,334. The second provided for the exemption of capital invested in the manufacture of cotton or fiber goods for a period of seven years. The vote on this amendment was 66,919 for, to 51,469 against, but it failed for want of a constitutional majority. The third, introduced by initiative petition, provided for the recall of all elective officers. It was defeated by a vote of 71,234 to 57,860. The fourth, also introduced by initiative petition, authorized cities and towns to issue bonds for public improvements and was lost by a vote of 76,660 to 53,098.

A suit was filed in the second division of the Pulaski Circuit Court to determine whether more than three constitutional amendments could be submitted at any one election. Judge Fulk held that the constitution of 1874, which expressly provides that not more than three amendments shall be submitted at the same time, was not changed by amendment No. 10 (the initiative and referendum), which provides for the initiation of amendments by the people, and that no more than three amendments could be voted on at the same election. An appeal was taken to the Supreme Court and on December 23, 1912, that tribunal rendered an opinion sustaining the decision of the lower court, hence the amendment authorizing cities and towns to issue bonds was illegally submitted and was therefore lost.

CHAPTER XIX

FROM ROBINSON TO McRAE

GOV. JOSEPH T. ROBINSON—THIRTY-NINTH LEGISLATURE—THE STATE FLAG—MOUNTAIN MEADOWS MASSACRE—ACTING GOVERNORS—SPECIAL ELECTION—HAYS' ADMINISTRATION—CAMPAIGN OF 1914—FORTIETH LEGISLATURE—CAMPAIGN OF 1916—THE STATE TICKETS—FORTY-FIRST LEGISLATURE—BROUGH'S ADMINISTRATION—CONSTITUTIONAL CONVENTION OF 1917—CAMPAIGN OF 1918—FORTY-SECOND LEGISLATURE—CAMPAIGN OF 1920—THE STATE TICKETS—MC RAE'S ADMINISTRATION—FORTY-THIRD LEGISLATURE.

Joseph Taylor Robinson, twenty-third governor of the State of Arkansas, is a native of the state, having been born on a farm in Lonoke County on August 26, 1872. His father, Dr. James Robinson, was born and educated in the State of New York, married Miss Matilda J. Swaim, a native of Maury County, Tennessee, and in 1844 became one of the pioneer settlers in what is now Lonoke County, Arkansas. He was known far and wide as a skillful physician and, in addition to the practice of his profession, he was the owner of a good plantation about six miles southwest of the Town of Lonoke. His death occurred in 1893 and his widow died in 1899.

Joseph T. Robinson was educated in the common schools and the University of Arkansas. He then entered the law department of the University of Virginia, where he completed his legal studies, and in September, 1895, he was admitted to the bar at Lonoke. In September, 1894, a year before his admission, he was elected as one of the representatives from Lonoke County to the Legislature. He was one of the Democratic presidential electors in 1900 and was selected as the messenger to carry the electoral vote of Arkansas to Washington. Two years later he was elected to represent the Sixth District in Congress. He was reëlected at each succeeding biennial election until 1910.

In 1912 he was nominated by his party for governor and was elected. On January 14, 1913, he resigned his seat in Congress; was inaugurated governor on the 16th; was elected United States senator on the 28th, but continued to hold the governor's office until March 8, 1913, when he sent to W. K. Oldham, president of the senate, his resignation "to take effect at once." He left immediately for Washington, D. C., and on March 10, 1913, took his seat in the United States Senate. At the state election in November, 1918, he was elected for a second term, beginning on March 4, 1919, and expiring on March 4, 1925.

Senator Robinson is a thirty-second degree Mason and is also a member of other fraternal and social societies. On December 15, 1896, he was united in marriage with Miss Ewilda Gertrude Miller, whose father, Jesse Miller, was formerly one of the leading merchants of Lonoke.

THIRTY-NINTH LEGISLATURE

On January 13, 1913, the Thirty-ninth General Assembly was convened in regular session. W. K. Oldham was elected president of the senate, and L. E. Sawyer, speaker of the house. A few days after the death of Jefferson Davis on January 3, 1913, Governor Donaghey appointed J. N. Heiskell United States senator for the unexpired term. Apparently this action did not meet the approval of the Legislature, for soon after the two houses were organized a joint session was held and W. M. Kavanaugh was elected to fill the vacancy caused by Senator Davis' death. On January 28, 1913, Governor Robinson was elected for the full term beginning on the 4th of the following March.

The most important acts of the session were: To provide for the commission form of government in cities of the first class; to provide a permanent place in the penitentiary where criminals sentenced to pay the death penalty could be executed by electricity and appropriating $1,500 for the purpose; to abolish the custom of "tipping" in hotels, restaurants and sleeping cars; to grant the people of cities and towns the right of referendum on ordinances; to create a state bank department and provide for the organization and control of banks; to appropriate $500,078.68 for the completion of the new capitol, the payment of deficiencies connected therewith and for the maintenance of the building and grounds for the biennial period; to permit corporations to erect power dams upon the rivers of Arkansas; to repeal the act of May 31, 1909, and enact a new law relating to the taxing of inheritances; to enforce better sanitary conditions in inns and hotels; to create a highway commission in connection with the state land department; to establish a bureau of labor statistics; to amend the anti-trust act of 1905, and an employers' liability act was also passed.

THE STATE FLAG

On February 26, 1913, Governor Robinson approved the following resolution, known as "Senate Concurrent Resolution No. 11:"

"Whereas, Arkansas has no official flag; and

"Whereas, The state has been honored by having one of our United States battleships named Arkansas; and

"Whereas, A committee composed of the following: Earle W. Hodges, secretary of state, chairman; Mrs. Jo. Frauenthal of Conway, Mrs. P. H. Ellsworth of Hot Springs, Mrs. Julia McAlmont Noll of Pine Bluff, George B. Rose of Little Rock, Dr. Junius Jordan of Pine Bluff and Gen. B. W. Green of Little Rock, have selected such a design for such state flag from a number of submissions, which design was prepared by Miss Willie K. Hocker; therefore,

"Be it resolved by the Senate, the House of Representatives concurring therein: That said design prepared by said Miss Hocker be and the same is hereby adopted as a design for an official flag of this state."

The movement for a state flag began early in the year 1912, when the Pine Bluff Chapter, Daughters of the American Revolution, unanimously voted to present the new Battleship Arkansas with a stand of colors, consisting of a United States flag, a naval battalion flag and an Arkansas state flag. Mrs. W. L. DeWoody, acting regent of the chapter, appointed Mrs. C. W. Pettigrew,

ARKANSAS STATE FLAG
Adopted February 18, 1913, by the General Assembly

Mrs. W. A. Taggart and Mrs. Frank Tomlinson a committee to obtain a copy of the state's official flag. This committee wrote to the secretary of state, who replied that Arkansas had no official flag.

The next step on the part of the chapter was to direct the flag committee to have published in the leading newspapers of the state an article asking artists and designers—especially those living in Arkansas—to submit designs for a state flag to a committee, which would select the one deemed most appropriate. The designs were to bear no mark by which the designer could be identified, but each was required to be accompanied by a typewritten explanation, a duplicate of which was to be inclosed, with the name and address of the designer, in a plain sealed envelope. All designs were to be sent to the secretary of state, who was authorized to name the committee of selection.

The first committee met at the Hotel Marion, Little Rock, early in January, 1913, but failed to select a design. Then the second committee—the one named in the resolution above—was chosen and from sixty-five designs selected the one made by Miss Willie K. Hocker, of Pine Bluff, viz.: "A rectangular field of red, on which is placed a large white diamond, bordered by a wide band of blue—national colors. Across the diamond is the word 'Arkansas' and three blue stars, one above, two below the word. On the blue band are placed twenty-five white stars."

Miss Hocker's explanation of her reasons for the design shows that it embodies a number of important events in Arkansas history. The national colors were used because Arkansas is one of the United States. The three blue stars upon the white diamond represent the three nations—France, Spain and the United States—which have successively exercised dominion over Arkansas; they also indicate that Arkansas was the third state to be erected in the territory acquired by the Louisiana Purchase. The twenty-five stars in the blue band show that Arkansas was the twenty-fifth state in the order of admission into the Union. She came into the Union with Michigan, which fact is shown by the two stars close together at the lower angle of the band. The diamond was selected because Arkansas has the only known diamond mine in the United States.

MOUNTAIN MEADOWS MASSACRE

A memorial to Congress adopted by the Thirty-ninth General Assembly calls back memories of an unhappy event which occurred fifty-six years before. In 1847 the Mormons settled in the Great Salt Lake Valley. During the next few years their missionaries were in all parts of the United States, seeking to make converts to the Mormon faith and add to the population of the new colony. About 1854 a Mormon elder named Parley P. Pratt visited Arkansas. He painted in glowing colors the advantages of a home in Utah and membership in the Mormon Church.

Polygamy was then one of the cardinal principles of Mormonism. Pratt already had several wives, but while in Arkansas he became enamored with a Mrs. McLean, whom he desired to add to his family as another plural wife. Perhaps the woman was a little weak-minded, but the Mormon elder was an adept at making specious promises and the upshot of the whole matter was that Mrs. McLean, during the absence of her husband, joined a small company of

converts and set out for Salt Lake City, where Pratt was to join her as soon as his mission was ended.

When McLean returned he found his home deserted, but from some of his neighbors he learned what had happened and the direction Pratt had taken. Arming himself with one of the famous Arkansas bowie knives and mounting a good horse, he started in pursuit. He knew Pratt by sight and when he overtook the man who had broken up his home he rode up alongside and without a word drove the bowie knife into his breast. Pratt reeled in his saddle and McLean stabbed him repeatedly, making certain that life was extinct.

No more Mormon missionaries were sent to Arkansas, but the church dignitaries did not forget what they considered the wanton murder of one of their sainted apostles. At that time to injure a Mormon by word or deed, or to doubt the sanctity of polygamy, was to court death at the hands of the "Danites" or "Avenging Angels," organizations maintained by the church "to remove obstacles from the path of Zion." McLean was beyond their reach, but, to use a common expression, the Mormons "had it in" for Arkansas.

In the early summer of 1857 a company of 140 (some say 120) men, women and children, under the leadership of Captain Fancher, left Northwestern Arkansas for California. They followed the well known Overland Trail and in due time arrived at Salt Lake City. Upon learning that the emigrants were from Arkansas, Brigham Young, the head of the Mormon Church, issued an order forbidding all Mormons to supply them with provisions or feed for their live stock. The company turned southward, hoping to find some small settlement where they could purchase the needed supplies, but the Mormon "grapevine telegraph" was too well organized and everywhere they went the "Prophet's" order had preceded them. They had money and offered the most exorbitant prices for a few simple necessities, but the Mormons turned a deaf ear to all their pleadings.

About the middle of September they reached a beautiful valley called "Mountain Meadows," in what is now Washington County, Utah. Here they found an abundance of grass for their horses and cattle; a large spring near the south end of the basin afforded plenty of pure water; game was plentiful in the surrounding hills and the emigrants decided to rest here for awhile and allow their animals to recuperate before attempting the journey across the desert. They reached this valley on Friday and began the work of erecting a corral near the spring. On the following Monday morning the camp was surrounded by Indians and Mormons disguised as Indians. A few men outside the corral were killed at the first volley. The others sought shelter in the corral, the wagons were so arranged as to strengthen their position and then began a siege.

Finding it impossible to dislodge the Arkansans by force, the Mormons caused the Indians to withdraw. Then, laying off their Indian disguises and donning the garments of civilization, they approached the camp with a flag of truce. The leaders were John D. Lee and J. M. Higby, both bishops in the Mormon Church. Upon being admitted to the camp they told the emigrants that the Indians were lying in wait and that if they would give up their arms the Mormons would conduct them to Cedar City, where they would be cared for until such time as they were ready to resume their journey. Bishop Lee's statements appeared so sincere that the emigrants accepted his proposal. Leav-

ing their property and arms in the care of a few Mormons, they set out with the main party for Cedar City, about twenty miles distant. After they had gone about a mile Bishop Higby gave the signal to begin an indiscriminate slaughter. Each Mormon immediately dispatched the man next to him and as the others started to flee they were shot down. Every adult in the party was killed and only seventeen small children were spared.

Many people believed that the whole affair was planned by Brigham Young, or at least that the crime was committed with his knowledge and consent. Bishop Higby died soon afterward and John D. Lee was the only one to pay a penalty for the inhuman massacre. In 1876 evidence sufficient to insure Lee's conviction was found. He was arrested, tried and sentenced to death. On March 23, 1877, he sat on his coffin by an open grave and faced a firing squad, after having refused to give information of the massacre that might implicate persons higher up in the councils of the Mormon Church.

In the spring of 1859 William H. Rogers, of Arkansas, went to Utah to look up the children whose lives were spared. Through the assistance of the territorial judges and United States army officers stationed at Camp Floyd, they were all found, taken to Fort Leavenworth, Kansas, and eventually returned to their relatives and friends in Arkansas. The memorial adopted by the Arkansas Legislature of 1913 was as follows:

"Whereas, In September, 1857, a party of 140 emigrants from the counties of Carroll, Boone and Marion, Arkansas, while en route through the Territory of Utah to the State of California, were attacked by Indians and Mormons at a place in Utah known as Mountain Meadows, and 120 of said emigrants were massacred, leaving seventeen small children ranging from three to nine years of age; and

"Whereas, Said party of emigrants owned and had with them at said time and place a large amount of personal property, consisting of about nine hundred cattle, a large number of other live stock, household goods, wagons, etc.; and

"Whereas, All of said property was either converted to their own use or destroyed by said Mormons and Indians, and neither the survivors nor the descendants of those who were massacred have ever been paid for the property so stolen or destroyed; therefore be it

"Resolved by the Senate, the House concurring therein, That we memorialize the Congress of the United States to pass a bill carrying a sufficient appropriation to pay the survivors of, and the heirs of those who were slain, and the heirs of any survivors who have since died of said emigrants for all the property taken or destroyed that belonged to said emigrants.

"And the Senators and Congressmen from Arkansas are respectfully requested to use their best efforts to secure the passage of such a bill; and the secretary of the Senate is hereby instructed upon the passage of this resolution to furnish a copy thereof to each of the Senators and members of Congress from this state."

The memorial was approved by Acting Governor Oldham on March 29, 1913, and copies were forwarded to the Arkansas senators and representatives at Washington. Congress took no action on the memorial and the survivors and heirs of the unfortunate emigrants have never been reimbursed.

ACTING GOVERNORS

When Governor Robinson resigned W. K. Oldham, by virtue of his office of president of the senate, became acting governor. Senator Oldham had been elected from Lonoke County in 1912 and was therefore serving the last half of his term. On March 10, 1913, only three days before the adjournment of the session, J. M. Futrell, senator from Greene County was elected president pro tempore, in order that there should not be a vacancy in the office of governor. Oldham and his friends contended that he was entitled to continue as acting governor, because Governor Robinson resigned before the end of the legislative session purposely that Mr. Oldham might continue in the office. Oldham asked William L. Moose, attorney-general, for an opinion on the subject. The attorney-general gave an opinion, in which, after quoting the constitutional provisions regarding acting governors, he said:

"Senator Futrell will not become president of the senate until the Legislature adjourns, and when that time shall come no vacancy in the office of governor will exist, assuming that you continue to perform the functions of that office. I cannot believe that the constitution makers intended, in a case of this kind, that the president of the senate, after taking possession of the office of governor, should surrender the same in a few days to another person, subsequently elected president of the senate, else they would have indicated such intention in apt language."

Supported by this opinion, Mr. Oldham remained in possession of the executive offices in the capitol. When the Legislature adjourned on March 13, 1913, Mr. Futrell established himself as governor in another room in the building and for a time Arkansas had two chief executives. There was no ill feeling between the two rivals and the question was referred to the Supreme Court, both agreeing to abide by the decision and to perform no official act of importance until the decision was rendered. On March 27, 1913, the Supreme Court handed down an opinion that Mr. Futrell was the lawful acting governor and Mr. Oldham surrendered to him the executive quarters.

SPECIAL ELECTION

On February 18, 1913, a resolution was adopted by the Legislature to the effect that the people of Arkansas were entitled to have a voice in saying who should fill out the unexpired term of Governor Robinson, and that "it is the sense of this General Assembly that the lieutenant-governor be and he is hereby requested to issue his proclamation calling for an election by the people of a governor to serve during the said unexpired term."

Acting Governor Futrell, as soon as the Supreme Court had decided the contest in his favor, issued his proclamation calling a special election for Wednesday, July 23, 1913. Conventions and primaries were held and four candidates were nominated, viz.: George W. Hays, Democrat; Harry H. Myers, Republican, George W. Murphy, Progressive; J. E. Weber, Socialist.

The Democratic primary election was held on the 21st of June, with George W. Hays, of Camden, and Stephen Brundidge, of Searcy, as the opposing candidates. The returns showed that Hays was nominated by a small majority, but Brundidge contested the result. On July 2, 1913, the Democratic state

central committee dismissed Brundidge's claim, after hearing both sides, and declared Hays the nominee. Brundidge then instituted injunction proceedings in the Pulaski Chancery Court, to prohibit the secretary of state from certifying Judge Hays as the nominee, and Chancellor John E. Martineau granted the injunction.

The question was then submitted to the Supreme Court and on July 11, 1913, Justice Kirby, speaking for the entire court, rendered an opinion that the state central committee had the power under the rules and regulations of the party to hear and determine the contest, declare the result of the primary, etc., and that the court of equity was without jurisdiction to issue an injunction. The injunction was therefore dissolved and Judge Hays' name went on the ballot as the official Democratic candidate. At the election Hays received 52,581 votes; Myers, 16,068; Murphy, 8,109; Weber, 5,321.

HAYS' ADMINISTRATION

George W. Hays, twenty-fourth governor of the State of Arkansas, was born in Ouachita County, Arkansas, September 23, 1863, the second of six children born to Thomas and Parthena (Ross) Hays. Thomas Hays was a native of Alabama. He came to Arkansas in 1840 and settled on a farm six miles south of Camden, where he continued to reside until his death in 1873. His wife was born in Kentucky.

The early education of George W. Hays was acquired in the common schools of Ouachita County. He then entered the Washington and Lee University at Lexington, Virginia, to prepare himself for the practice of law. Subsequently he studied law with the firm of Gaughan & Sifford at Camden, Arkansas, and in 1894 he was admitted to the bar. For three years after his admission he remained in the office of his preceptors, but in 1897 he opened an office of his own. During the next three years he built up a lucrative business.

In 1900 Mr. Hays was elected county judge of Ouachita County, and was reëlected in 1902. At the expiration of his second term he resumed the practice of his profession, but it was not long until he was again called to public office. In 1906 he was elected judge of the Thirteenth Circuit for a term of four years. He was reelected in 1910, but resigned before the expiration of his second term to accept the office of governor, to which he was elected on July 23, 1913, for the unexpired term of Governor Robinson. Following the custom in Arkansas politics, of giving the state officers two terms, Governor Hays was nominated in 1914 for the full term of two years and was triumphantly elected. His administration was uneventful and since retiring from the office he has practiced law in Little Rock.

Governor Hays is prominent in fraternal circles, holding membership in the Masonic order, the Odd Fellows, the Knights of Pythias, the Elks and the Woodmen of the World. On February 26, 1895, he married Ida V. Yarbrough, of Ouachita County. They have two sons.

CAMPAIGN OF 1914

There were three candidates for governor in 1914, but with the exception of this office the Democratic candidates had no opposition. The Democrats nom-

inated George W. Hays; the Republicans, A. L. Kinney; and the Socialists, Daniel Hogan. The rest of the Democratic ticket was as follows: Earle W. Hodges, secretary of state; L. L. Coffman, auditor; Rufus G. McDaniels, treasurer; William L. Moose, attorney-general; George B. Cook, superintendent of public instruction; W. B. Owen, land commissioner; John H. Page, commissioner of mines, manufactures and agriculture; J. C. Hart, associate justice of the Supreme Court; J. S. Rowland, W. F. McKnight and T. E. Wood, railroad commissioners.

The state election was held on September 14, 1914. For governor, Hays received 94,090 votes; Kinney, 30,987; Hogan, 10,434.

Three constitutional amendments were voted on at this election. According to Crawford & Moses' Digest, the speaker of the house declared on February 10, 1913, an amendment adopted fixing the remuneration of members of the General Assembly at $6 per day, for sixty days only, and 10 cents per mile for each mile traveled in going to and returning from the regular session; and $3 per day, with the same mileage, for any special session of fifteen days. The Legislature of 1913 submitted two amendments to be voted on in 1914. The first provided that members of the General Assembly should receive a straight salary of $750 for the term, the president of the senate and speaker of the house to receive $850. The second amendment provided for the office of lieutenant-governor and defined his duties. Both amendments were defeated at the polls.

The third amendment, introduced by initiative petition, authorized cities and towns to issue bonds for public improvement purposes. The speaker of the house declared at the opening of the Legislature of 1915 that this amendment was adopted, and Chancellor John E. Martineau, in the case of Hildreth vs Taylor, sustained this view. The matter was then referred to the Supreme Court and on March 22, 1915, Chief Justice McCulloch reversed the decision of the Chancery Court, on the grounds that the amendment had not received a majority of all the votes cast at the election, as required by the constitution.

Two initiative acts were ratified at the election of 1914. The first provided for the health, safety and welfare of minors by forbidding their employment in certain occupations and under certain specified ages, etc. This act, known as the "Child Labor Law," received 72,313 votes to 25,300 against it. The second initiative act was to reduce the expense of publishing measures submitted under Amendment No. 10 to the constitution; providing for the publication of all general acts of the Legislature; for giving publicity to the orders of certain boards, and the expenditure of public money, etc. It was carried by a vote of 55,552 to 40,728. Both these acts were declared adopted by the speaker of the house on January 14, 1915.

On November 3, 1914, was held the election for representatives in Congress. Those elected from the seven districts, in order, were: T. H. Caraway, William A. Oldfield, J. N. Tillman, Otis Wingo, H. M. Jacoway, S. M. Taylor and W. S. Goodwin.

FORTIETH LEGISLATURE

The fortieth regular session of the General Assembly began on January 11, 1915, and lasted until the 11th of March. Elmer J. Lundy was chosen president of the senate, and Lewis E. Sawyer was elected speaker of the house. Governor

Hays delivered his message to a joint session on the third day of the session. A large part of it was devoted to the financial condition of the state. On this subject he said:

"The most serious problem confronting the people of our state today is the question of revenue. The state at this time owes approximately $462,438 and under the present rate of taxation for general revenue purposes, and from other sources, the approximate income for the next biennial period will be $2,967,444.

"In my judgment, the remedy is strict economy during the next two years, thereby relieving the state of its present indebtedness. This would save to the taxpayers thousands of dollars from exorbitant prices that are now paid for supplies furnished to the charitable institutions and in discounting warrants, and in the end of that time enable us to do greater things and to appropriate more liberally for our different institutions and operate on a cash basis.

"I call your attention to this matter for your most serious consideration. When we realize that according to the Federal census the property of the state is valued at approximately one and a half billion dollars, with an assessed valuation of approximately four hundred and fifty million dollars, we can readily see that there is something wrong. The rate of taxation that is being paid at this time is as high as it should be and I would oppose the increasing of the same, but, if the property of the state could be equitably assessed, we would have, at the present rate of taxation, plenty of revenue to relieve the state of its indebtedness, make larger appropriations for our educational and charitable institutions and run on a cash basis."

The principal acts of the session were: To change the time of holding the state elections to the Tuesday following the first Monday in November; to prohibit the issuance of licenses to sell intoxicating liquors and declaring unlawful the manufacture, sale or giving away of such liquors after January 1, 1916; to regulate the weighing of coal at the mines in Arkansas; to provide a minimum wage and hours of employment of women; to appropriate $40,000, "or so much thereof as may be necessary," for an Arkansas exhibit at the Panama-Pacific Exposition at San Francisco; to establish a municipal court in each city having a population of 45,000 or more; to regulate the practice of chiropractic; to remove the disabilities of married women, giving them the right to own property, make contracts, etc.; and a "Blue Sky" law to prevent fraud in the sale of stocks, bonds, etc.

By concurrent resolution the statue of Judge U. M. Rose was ordered placed in the Hall of Fame at Washington, D. C., and two constitutional amendments were submitted to the people, to be voted on at the general election in 1916. The first empowered county courts to levy a tax of not more than three mills on the dollar for the construction of roads, and the second proposed to give women the right of suffrage.

CAMPAIGN OF 1916

The year 1916 was a presidential year. On the 9th of June the Republican national convention assembled in Chicago. Charles E. Hughes, of New York, was nominated for President on the third ballot, and Charles W. Fairbanks, of Indiana, was nominated for vice president.

There was very little excitement over the Democratic national convention, which met at St. Louis on the 14th of June. For months it had been the general sentiment that President Wilson and Vice President Marshall would be renominated, and they were again selected as the party's standard bearers without opposition.

Of the minor parties, the Prohibitionists nominated J. Frank Hanly, of Indiana, for President, and Ira Landrith, of Massachusetts, for vice president. The Socialists nominated Allan J. Benson, of New York, and George R. Kirkpatrick, of New Jersey, for President and vice president, respectively. Arthur E. Reimer, of Massachusetts, was the Socialist Labor candidate for President, and Caleb Harrison, of Illinois, for vice president.

THE STATE TICKETS

The Democratic candidates for the state offices were nominated at a primary election held on March 29, 1916. Charles H. Brough, Earle W. Hodges and L. C. Smith were the candidates for governor. After a spirited primary campaign, Brough was nominated. Thomas J. Terral was nominated for secretary of state; Hogan Oliver, for auditor; Rufus G. McDaniels, for treasurer; John D. Arbuckle, for attorney-general; John L. Bond, for superintendent of public instruction; W. B. Owen, for land commissioner; John H. Page, for commissioner of mines, manufactures and agriculture; Carroll D. Wood, for associate justice of the Supreme Court.

The Republicans nominated Wallace Townsend for governor and Durand Whipple for associate justice of the Supreme Court, but made no other nominations. William Davis was nominated by the Socialists for governor. He was the only candidate nominated by that party.

This year, for the first time in the history of Arkansas, the state officers were elected at the same time as the President, vice president and members of Congress. The election was held on the 7th of November. For President and vice president, Wilson and Marshall received 112,148 votes; Hughes and Fairbanks, 47,148; Benson and Kirkpatrick, 6,999; Hanly and Landrith, 2,015. The vote for governor was as follows: Brough, 122,041; Townsend, 43,963; Davis, 9,730. Seven Democratic Congressmen were elected, viz: T. H. Caraway, William A. Oldfield, J. N. Tillman, Otis Wingo, H. M. Jacoway, S. M. Taylor and W. S. Goodwin.

Three constitutional amendments were voted on at this election. One submitted by the General Assembly authorized county courts to levy a tax not exceeding three mills for the construction of public roads was lost, although the vote in its favor was 82,753 to 67,656 against it, but it failed to receive a majority of all the votes cast at the election. The second amendment, introduced by initiative petition, authorized school districts to levy a tax, by vote of the qualified electors, not to exceed twelve mills for school purposes. This amendment was adopted by a vote of 108,173 to 52,175. The third amendment, also introduced through the initiative, was intended to define more clearly and enlarge the powers of the initiative and referendum. It was defeated by a vote of 73,782 to 69,817.

FORTY-FIRST LEGISLATURE

On January 8, 1917, the Forty-first General Assembly was convened in regular session. W. P. Davenport was elected president of the senate, and Lee Cazort, speaker of the house. Governor Hays delivered his farewell message in the forenoon of January 10th, and at 2 o'clock P. M. Governor Brough was inaugurated. In his address he presented an itemized statement, prepared by the state treasurer, showing the appropriations and expenditures for the biennial period ending on July 1, 1917, and that the estimated deficit at the end of the period would be $753,318.

"That a thoroughgoing revision of our revenue system is the paramount question confronting our lawmakers," said he, "may be seen from the fact that since 1913 there has actually been a decrease in the total assessed valuation of Arkansas property, the decrease in the assessment of public utilities for the last fiscal year aggregating $2,529,548 and the decrease in the revenue from the various franchise taxes of the state, $1,529.94. * * * There are many sad commentaries on our antiquated and 'crazy-quilted' revenue system, eloquent advocates of an improved assessment system, that reveal the whereabouts of the Pandora's box out of which flow the ills of gross inequalities in taxation, high rates, ridiculously low assessments and a tax-dodging that is a travesty on a self-respecting people."

The remedies he proposed were: To negotiate a short time loan of $750,000 for emergency purposes and the redemption of outstanding warrants, and a revision of the state's revenue laws requiring all property to be assessed at its true value. He also advocated a budget system for the regulation of appropriations. His long experience as an educator enabled him to make a number of valuable suggestions regarding the educational system of the state, some of which were enacted into laws. He recommended a convention to form a new constitution and urged the Legislature to give their serious attention to "constructive legislation of statewide importance," and not to "consider any local measure unless the constitutional requirement of actual publication for thirty days has been observed."

Notwithstanding the earnestness of the new governor in making this request, a large number of local laws were passed during the session, though many acts of a general nature were also passed. Among these were: To establish municipal courts in cities having a population of from 12,000 to 20,000; to authorize the commissioner of labor to conduct a free employment bureau; to prohibit the shipment of intoxicating liquors into the state, or the storage of the same by clubs, etc. (this is known as the "Bone Dry" law); to create the Arkansas Illiteracy Commission to ascertain the number of grown persons in the state who could not read and write, and recommend a plan for the elimination of such illiteracy; to remove the Boys' Industrial School and convert the property to the use of the Girls' Industrial School; to establish a State General Hospital for free medical and surgical treatment and appropriating $200,000 for the same; to establish a textbook commission and provide for a system of uniform textbooks in the public schools, to appropriate 4,000 acres of land and authorize the appointment of a board to establish a school for feeble-minded; to accept the provisions of the act of Congress providing for vocational education; to give women the right to vote in primary elections; to create the department

of insurance and fire prevention; to provide for the compulsory attendance of children between the ages of seven and fifteen years of age at some public or private school; to create the commission of charities and corrections; to create the state auditorial department and provide for a uniform system of county bookkeeping; and to provide for the inspection of kerosene, gasoline, etc.

An "initiative" act providing for primary elections to be held on the last Tuesday in May was approved by this Legislature. The "publicity" act adopted at the election of 1914, providing for the publication of public expenditures, etc., was repealed and ordered to be resubmitted to the voters at the general election in 1918. Three constitutional amendments were also submitted for approval or rejection in 1918. The first provided for the loan of the state's credit, to an amount not exceeding two per cent of the assessed valuation of all property, for the purpose of providing funds to be loaned to the farmers of the state upon certain conditions. This amendment was defeated by a vote of 25,069 to 24,191. The second provided for an increase in the number of Supreme Court justices to seven. It was defeated by a vote of 28,888 to 20,721. The third authorized the creation of a pardon board, without whose recommendation the governor could not act in the matter of granting pardons, reprieves and commutation of sentences. This amendment was defeated by a vote of 25,571 to 22,741. An election was ordered to be held on June 26, 1917, for delegates to a constitutional convention, to meet on the 19th of November.

BROUGH'S ADMINISTRATION

Charles Hillman Brough, twenty-fifth governor of the State of Arkansas, was born at Clinton, Mississippi, July 9, 1876, a son of Charles Milton and Flora E. (Thompson) Brough. His father was prominently identified with mining and banking operations in the West and was at one time mayor of Ogden, Utah. His mother was for years principal of the Central Female Institute, the oldest private female seminary in the State of Mississippi, and her early training wielded a great influence in shaping the career of her son.

For several years Governor Brough lived with his parents in Utah, but returned to his native state to attend, under the direction of his uncle and aunt —Doctor and Mrs. Hillman—the Mississippi College at Clinton. In June, 1894, he graduated with the honors of his class. Later he took a three years' post graduate course in economics, history and jurisprudence in Johns Hopkins University at Baltimore, Maryland. Here he was a student under Woodrow Wilson, then professor of political economy, and was awarded the fellowship in economics on his doctor's thesis, "Irrigation in Utah." In June, 1898, he was awarded the degree of Doctor of Philosophy by Johns Hopkins University and immediately afterward was elected to the chair of history, philosophy and economics in Mississippi College. This position he held until June, 1901, when he resigned to enter the law department of that institution as a student. A year later he received the degree of Bachelor of Laws.

In the meantime his uncle had established Hillman College at Clinton, Mississippi, and now offered the future governor the chair of economics. He accepted, but remained with the college only a year, for in June, 1903, he was called to the chair of economics and sociology in the University of Arkansas.

He remained with this institution until 1910, when he resigned to devote his attention to literary and chautauqua work. With his training and experience it was natural that his literary productions should partake of a historical or economic character. He is the author of "The History of Taxation in Mississippi," "The Industrial History of Arkansas," "Historic Clinton," "The History of Banking in Mississippi," "Historic Battlefields and Homes of Arkansas," "The Political Problems of the Present," and he has written for economic and historical periodicals. Of his lectures, "The Glory of the Old South and Greatness of the New," "America's Conquest of the World," "The Wit and Wisdom of Great Americans" and "God in History" are perhaps the best known and most popular. He is a member of the Arkansas Historical Association, the Mississippi Historical Society, the American Economic Association and the National Academy of Social and Political Science.

Doctor Brough has been actively identified with the Democratic party ever since he became a voter. In 1911 he organized at the University of Arkansas the first "Wilson for President" club of college men in the United States. Similar clubs were afterward formed in many of the universities and colleges of the country. Although an active worker in the party ranks, he was never an aspirant for public office until he entered the race for the nomination of governor in 1916. He was inaugurated on January 10, 1917, at the opening of the legislative session just described.

Without any intention to disparage other governors, Doctor Brough was the first chief executive in years with the ability to formulate a plan for putting Arkansas on a cash basis, and the courage to insist upon its adoption. Three months after he was inaugurated, the United States Congress declared war against Germany. Throughout that historic struggle, popularly known as the "World war," he was active in the support of the National administration. He was reelected on November 5, 1918, only six days before the signing of the armistice that brought an end to hostilities, and of the "war governors" of the United States none made a better record than Brough of Arkansas. Upon retiring from the office in January, 1921, his name was so well known over the country that chautauqua circles everywhere invited him to address their assemblies.

On June 17, 1908, Governor Brough and Miss Anne Wade Roark, of Franklin, Kentucky, were united in marriage. They have no children.

CONSTITUTIONAL CONVENTION OF 1917

Pursuant to the act passed by the Legislature of 1917, an election was held on Tuesday, June 26, 1917, for delegates to a constitutional convention. The representation in the convention was fixed so as to give each county the number of delegates it had members in the lower house of the Legislature, and each congressional district was given two delegates at large.

The district delegates were: First, W. J. Driver, of Mississippi County, and A. L. Hutchins, of Woodruff; Second, Gustave Jones, of Jackson, and D. L. King, of Sharp; Third, E. G. Mitchell, of Boone, and V. C. Bratton, of Searcy; Fourth, J. D. Head and W. H. Arnold, both of Miller; Fifth, J. W. House, Sr., of Pulaski, and Oscar Wilson, of Pope; Sixth, A. B. Banks, of Dallas, and J. M.

Elliott, of Jefferson; Seventh, J. L. Carter, of Chicot, and Thomas C. McRae, of Nevada.

County Delegates—Arkansas, John L. Ingram; Ashley, G. P. George; Baxter, W. U. McCabe; Benton, E. P. Watson and L. H. McGill; Boone, C. G. Crump; Bradley, J. R. Wilson; Calhoun, C. L. Poole; Carroll, Festus O. Butt; Chicot, J. C. Gillison; Clark, John H. McMillan and J. E. Calloway; Clay, C. T. Bloodworth; Cleburne, W. T. Hammock; Cleveland, R. F. Foster; Columbia, J. L. Davis and R. S. Warnock; Conway, Edward Gordon and J. F. Sellers, Craighead, N. F. Lamb; Crawford, L. H. Southmayd and P. D. Scott; Crittenden, S. V. Neely; Cross, O. N. Killough; Dallas, J. E. Hampton, Sr.; Desha, K. G. Morley; Drew, J. G. Williamson; Faulkner, J. H. Reynolds; Franklin, T. A. Pettigrew and David Partain; Fulton, Lehman P. Kay; Garland, W. H. Martin and S. W. Fordyce; Grant, Isaac McClelland; Greene, J. D. Block; Hempstead, W. H. Etter and O. A. Graves; Hot Spring, J. C. Belote; Howard, W. P. Feazel; Independence, J. B. McCaleb and M. M. Rutherford; Izard, J. L. Bledsoe; Jackson, E. L. Boyce; Jefferson, T. M. Hooker, Daniel Taylor and H. E. Trulock; Johnson, G. O. Patterson; Lafayette, Henry Moore, Jr.; Lawrence, Clay Sloan; Lee, W. S. McClintock and C. E. Daggett; Lincoln, A. J. Johnston; Little River, J. S. Steele; Lonoke, George M. Chapline and W. J. Waggoner; Logan, J. H. Evans and W. R. Cherry; Madison, Joseph Johnson; Marion, Jewell H. Black; Miller, George Webber; Mississippi, R. A. Nelson; Monroe, John B. Moore; Montgomery, Earl Witt; Nevada, W. V. Tompkins; Newton, W. P. Spears; Ouachita, John T. Sifford; Perry, J. H. Bowen; Phillips, John I. Moore and E. C. Horner; Pike, J. C. Pinnix; Poinsett, T. B. Steele; Polk, J. I. Alley; Pope, J. T. Bullock and A. S. Hays; Prairie, F. E. Brown; Pulaski, E. P. Aldridge, T. M. Mehaffy, Henry Rector and Morgan Smith; Randolph, S. A. D. Eaton; St. Francis, S. H. Mann; Saline, W. R. Donham; Scott, W. A. Bates, Searcy, J. G. Ferguson; Sebastian, George W. Dodd, C. R. Breckinridge and George Johnson; Sevier, Abraham Collins; Sharp, E. B. Andrews; Stone, B. B. Williamson; Union, W. P. Goodwin; Van Buren, W. B. Payne; Washington, J. V. Walker, H. L. Pearson and John Mayes; White, Eugene Cypert and John E. Miller; Woodruff, E. M. Carl Lee; Yell, J. E. Chambers and O. L. Clement.

Before the constitution was completed several changes were made in the personnel of the convention through resignation of delegates. T. Butler succeeded G. P. George, in Ashley County; Samuel Rowland succeeded C. G. Crump, in Boone County; Jordan Sellers succeeded J. S. Sellers, in Conway County; S. F. Morton, succeeded J. E. Hampton, in Dallas County; Douglass Hotchkiss succeeded S. W. Fordyce, in Garland County; J. M. Futrell succeeded J. D. Block, in Greene County; W. F. Coleman succeeded Daniel Taylor, in Jefferson County; C. M. Witherspoon succeeded W. J. Waggoner, in Lonoke County; Benjamin E. McFerrin succeeded W. P. Spears, in Newton County; W. D. Brouse succeeded W. R. Donham, in Saline County.

The convention met on November 19, 1917, the time fixed by the act, and organized by electing T. M. Mehaffy president, and H. G. Combs, secretary. Committees were appointed to draft the various articles of a new constitution and the convention adjourned to meet the following July. Then the work of combining the reports of the committees occupied but a short time and the new constitution was ordered to be submitted to the people at a special election on

December 14, 1918. Persons versed in the science of civil government regarded the new constitution as being far more modern, more progressive and more democratic than the constitution of 1874, but the voters of Arkansas took a different view. At the election 23,782 votes were cast in favor of its adoption and 38,897 were cast against it.

CAMPAIGN OF 1918

No nominations for state offices were made by the Republican party in this year. Clay Fulks was nominated for governor by the Socialists, which was the only opposition offered to the Democratic ticket. Governor Brough was renominated and the other Democratic candidates were: Thomas J. Terral, secretary of state; Hogan Oliver, auditor; Joseph Ferguson, treasurer; John D. Arbuckle, attorney-general; John L. Bond, superintendent of public instruction; W. B. Owen, land and highway commissioner; J. G. Ferguson, commissioner of mines, manufactures and agriculture; T. H. Humphreys, associate justice of the Supreme Court; T. E. Wood, Walter G. Brashear and Herbert R. Wilson, railroad commissioners; Joseph T. Robinson, United State senator.

The election was held on November 5, 1918, and the vote for governor was as follows: Brough, 68,191; Fulks, 4,792. All the Democratic candidates, having no opposition, polled a larger vote than did the candidate for governor. The congressmen elected from the seven districts were: T. H. Caraway, W. A. Oldfield, J. N. Tillman, Otis Wingo, H. M. Jacoway, S. M. Taylor and W. S. Goodwin.

FORTY-SECOND LEGISLATURE

The Forty-second General Assembly met on January 13, 1919, and continued in session until the 13th of March. Harry L. Ponder was elected president of the senate at the opening of the session, and Clarence P. Newton was chosen speaker of the house. Governor Brough began his second term on the 15th, by delivering his message to a joint session of the two houses. Much of his message was devoted to the part Arkansas played in the World war. Further mention of this part of the message will be found in Chapter XL. On the subject of state finances he said:

"As your governor, I am delighted to report that at the end of the first fiscal year (July 1, 1918), there was a cash balance in the treasury of $168,259.06, which is more than sufficient to care for all unvouchered claims against the general revenue fund. How splendid a showing has been made is revealed in the following table, which illustrates the condition of our general revenue fund since 1910:

Balance July 1, 1910	$ 20,829.48
Balance July 1, 1912	2,826.85
Balance July 1, 1914	12,174.89
Balance July 1, 1916	180.51
Balance July 1, 1918	168,259.06
Balance January 1, 1919	455,660.26

"I feel that this magnificent showing can be attributed to three things: First, the note issue, which put Arkansas on a cash basis, where she has remained since the deficit was eliminated by the proceeds of the $750,000 note issue; second, the magnificent spirit of coöperation manifested on the part of various departmental heads in conserving their appropriations; and, third, the moral effect produced by the creation of an auditorial department, which has not only kept an eagle eye on the state's finances, but has already made an audit of the finances of several counties.

"Another benefit resulting indirectly from the note issue of $750,000 sanctioned by the last General Assembly and upheld by the able Supreme Court, is that Arkansas' securities are now acceptable securities for New York savings banks. Prior to last year, Arkansas was one of only six states in the Union whose securities New York banks were not allowed to handle. Immediately after the sale of these notes their holders decided to put them in the New York savings banks, but were refused by the New York state banking department and the attorney-general of New York; but after our officials had convinced the New York authorities that Arkansas' securities were properly protected and that in future we intend to place and keep the state upon an absolutely cash basis, the ban was lifted and Arkansas' credit now ranks with that of any other state in the Union."

Probably more laws were enacted by the Legislature of 1919 than by any other regular session in the history of Arkansas. The road laws alone (689 in number) fill two large volumes, the 696 special acts constitute another volume and the general laws make a volume of 549 pages. The most important of these laws were as follows: To authorize the board of control to purchase a farm of not more than 500 acres, to be operated in conjunction with the Hospital for Nervous diseases, and appropriating $75,000 for the purpose; to establish a state farm, not less than 120 acres, for female convicts; to appropriate $23,384.33 to pay the indebtedness incurred on account of the Panama-Pacific Exposition; to create a bureau of crop estimates and immigration; to provide for a county board of education in each county of the state; to appropriate $158,444.45 for extension work in agriculture and home economics; to appropriate $1,400 for a silver service to be presented to the battleship Arkansas; to promote vocational education; to prevent the desecration of the United States flag for advertising, etc.; to define and punish anarchy; to create the Arkansas Corporation Commission; to create and establish a "Model Farm" at some suitable point in the central part of the state, to be operated as a branch of the Agricultural Experiment Station, and a mechanics' lien law.

The amendment to the Federal Constitution giving the right of suffrage to women was ratified. Three amendments to the state constitution were proposed —one relating to the initiative and referendum, one providing for equal suffrage, and one authorizing two additional judges for the Supreme Court.

CAMPAIGN OF 1920

The first national convention of this year was held by the Socialist Labor party. It met in New York City on May 5, 1920, and continued in session for five days. William W. Cox, of Missouri, was nominated for President, and August Gilhaus, of New York, for vice president.

The next national convention was held by the regular Socialist party in New York City, beginning on May 8, 1920. Eugene V. Debs, of Indiana was again nominated for the Presidency, and Seymour Stedman, of Illinois, for the vice presidency.

On June 8, 1920, the Republican national convention assembled in Chicago. Warren G. Harding, of Ohio, was nominated on the tenth ballot for President, and Calvin Coolidge, of Massachusetts, for vice president. The platform adopted was a lengthy document, a large part of which was devoted to a criticism of President Wilson's administration. One of these criticism was as follows:

"The President clings tenaciously to his autocratic war-time powers. His veto of the resolution declaring peace and his refusal to sign the bill repealing war-time legislation, no longer necessary, evidence his determination not to restore to the Nation and to the States the form of government provided for by the Constitution. This usurpation is intolerable and deserves the severest condemnation."

The Democratic national convention met at San Francisco on the 28th of June. Balloting for candidates began on July 2nd, but no nomination was made until the 5th, when James M. Cox, of Ohio, was nominated for President on the forty-fourth ballot. The ticket was completed by the selection of Franklin D. Roosevelt, of New York, for vice president.

The platform indorsed President Wilson's administration, particularly the conduct of the war; favored the League of Nations; claimed for the party great economies in the Government expenditures; indorsed the nineteenth amendment to the Federal Constitution, giving women the right to vote; and resented the charge that the Democratic administration had attempted to stifle the right of free speech and a free press.

On July 11, 1920, a national convention composed of various organizations connected with the agricultural and labor interests, the "Forty-eighters," Single Taxers, and others, was held in Chicago. Several of the factions withdrew, but on the 15th Parley P. Christensen, of Utah, was nominated for President, and Max S. Hays, of Ohio, for vice president. The name of "Farmer Labor" party was adopted.

THE STATE TICKETS

In Arkansas the Democratic party was the only one to nominate a full state ticket. The primary election was held on August 10, 1920, and aroused as much enthusiasm as the national campaign. Nine candidates for governor entered the race. The chief interest centered upon the race for the gubernatorial nomination and the contest between T. H. Caraway and William H. Kirby for United States senator. Caraway defeated Kirby and the nomination for governor went to Thomas C. McRae. Ira C. Hopper was nominated for secretary of state; James Guy Tucker, for auditor; Joseph Ferguson, for treasurer; J. S. Utley, for attorney-general; John L. Bond, for superintendent of public instruction; Herbert R. Wilson, for land and highway commissioner; J. G. Ferguson, for commissioner of mines, manufactures and agriculture; E. A. McCulloch, for chief justice of the Supreme Court; Frank G. Smith, for associate justice.

The Republicans held a state convention and nominated the following can-

didates: C. F. Cole, United States senator; Wallace Townsend, governor; N. B. Burrow, secretary of state; S. S. Langley, attorney-general; E. Ritter, land and highway commissioner; J. O. Livesley, associate justice of the Supreme Court. This was known as the "Lily White" Republican ticket, negroes being barred from participation in the convention. The colored Republicans resented this attitude of their white brethren and nominated J. H. Blount, one of their own race for governor. The Socialist party nominated Samuel Busler for governor, but made no other nominations.

The election was held on November 2, 1920. Cox and Roosevelt received 105,618 votes; Harding and Coolidge, 69,874; Debs and Stedman, 5,974. For governor, the vote was as follows: McRae, 123,604; Townsend, 64,339; Busler, 4,543; Blount, 15,627. Caraway defeated Cole for United States senator by a vote of 126,477 to 65,381. The following congressmen (all Democrats) were elected: W. J. Driver, W. A. Oldfield, J. N. Tillman, Otis Wingo, H. M. Jacoway, S. M. Taylor and Tillman B. Parks.

Three constitutional amendments voted on at this election were all defeated, although each received more votes in its favor than were cast against it none received a majority of all the votes cast at the election. The vote on the amendments was as follows: Relating to the initiative and referendum, 84,481 for, 42,913 against; equal suffrage, 85,550 for, 48,926 against; to increase the number of supreme justices to seven, 63,509 for, 62,281 against.

MC RAE'S ADMINISTRATION

Thomas Chipman McRae, twenty-sixth governor of the State of Arkansas, was born at Mount Holly, Union County, Arkansas, December 21, 1851. He is a son of Duncan L. and Mary Ann (Chipman) McRae, the former a native of North Carolina and the latter of Georgia. Duncan L. McRae died on July 30, 1863, and his widow survived until April 19, 1897.

Governor McRae received his early education in the schools of his native state, after which he clerked for awhile in a store at Shreveport, Louisiana. He then attended Soule's Business College at New Orleans, graduating in 1869. Deciding upon the law as a profession, he entered the law department of the Washington and Lee University, Lexington, Virginia, and received from that institution the degree of Bachelor of Laws in 1872. In January, 1873, he was admitted to the bar in Nevada County, Arkansas; to the bar of the Arkansas Supreme Court in January, 1876; to practice in the Supreme Court of the United States in January, 1886; and in 1917 he was elected president of the Arkansas Bar Association.

The political career of Governor McRae began in 1874, when he was made election supervisor for Nevada County. In 1876 he was elected to represent that county in the lower house of the State Legislature; was elected recorder and city attorney for Prescott in 1879; was for several terms special judge in Lafayette and Pike counties; represented the Third Arkansas District in the national Congress from 1885 to 1903; served as school director from 1890 to 1893; was appointed a member of the state board of charities in April, 1909; was a delegate to the constitutional convention of 1917, and in November, 1920, was elected governor. He was a delegate to the Democratic national convention in

1884, and from 1896 to 1900 he was that party's national committeeman from Arkansas.

Governor McRae is president of the Bank of Prescott and in 1909 was elected president of the Arkansas Bankers' Association. He is a thirty-second degree Mason and also belongs to the Knights of Pythias, the Independent Order of Odd Fellows and the Woodmen of the World. He was married on December 17, 1874, to Miss Amelia Ann, daughter of Capt. William R. and Mary Jane (Clarke) White, of Rosston, Nevada County, Arkansas. Five children were born to this union: Ethel, Mary, Thomas C., Duncan L. and Mildred.

FORTY-THIRD LEGISLATURE

The regular session of the Forty-third General Assembly began on January 10, 1921. Lee Cazort was elected president of the senate, and Joseph Joiner, speaker of the house. Governor Brough's farewell message was delivered to a joint session on the 12th. In it he gave an exhaustive review of the improved condition of the state's finances, the educational, charitable and penal institutions, as a result of the constructive legislation enacted by the General Assemblies of 1917 and 1919, and made several recommendations regarding further legislation of the same character.

Immediately after the delivery of this message Governor McRae was inaugurated. In his inaugural address he referred to the platform pledges of the Democratic party in 1920 favoring the consolidation of offices, boards and commissions, including the abolishment of the "corporation commission, the board of control, the penitentiary commission and the state highway department, all as now constituted." He urged that this pledge be carried out by suitable legislation, and that an honorary efficiency commission be authorized to study the requirements of the state governments with a view to further consolidation and the elimination of useless offices and functions.

The Legislature adjourned sine die on March 10, 1921. The most important acts of the session were: To fix July 1st as the beginning of the fiscal year in all departments of state; to abolish the penitentiary commission and substitute therefor an honorary board; to abolish the corporation commission and re-establish the railroad commission; to permit women to hold civil office in Arkansas; to authorize the organization of coöperative marketing associations for agricultural products; to transfer all special funds to the general revenue fund; to declare pipe line companies common carriers and confer on them the right of eminent domain; to aid the prevention of delinquency by enforcing the act providing for compulsory school attendance; to provide for the supervision of paroles by the commission of charities and corrections; to preserve the old state capitol and create the Arkansas State War Memorial; to prohibit the sale of cigarettes to minors and license dealers in the same; to provide for a coöperative soil survey by the Federal Bureau of Soils and the Arkansas Experiment Station; and to establish a free library service.

CHAPTER XX

ARKANSAS STATE BOUNDARIES

BOUNDARIES ESTABLISHED IN 1819—THE NORTHERN BOUNDARY—THE JOG IN THE LINE—THE EASTERN BOUNDARY—THE SOUTHERN BOUNDARY—ON THE SOUTHWEST—THE WESTERN BOUNDARY—INFLUENCE OF INDIAN TREATIES—PRESENT BOUNDARIES.

Section 1 of the act of March 2, 1819, providing for a separate territorial government in the southern part of the Territory of Missouri, reads: "That from and after the fourth day of July next, all that part of the Territory of Missouri, which lies south of a line beginning on the Mississippi River at thirty-six degrees north latitude, running thence west to the River St. Francis, thence up the same to thirty-six degrees thirty minutes north latitude, thence west to the western territorial line, shall, for the purpose of a territorial government, constitute a separate territory and be called Arkansas Territory."

When the State of Louisiana was admitted into the Union on April 8, 1812, the northern boundary of that state was fixed at the parallel of 33° north latitude. All north of that parallel was erected into the Territory of Missouri. The southern boundary of Arkansas was therefore established by the act admitting Louisiana to statehood. The northern boundary was fixed by the section of the organic act above quoted. So far as these two boundaries are concerned, nothing remained to be done except to survey and mark the lines in accordance with the acts of Congress.

THE NORTHERN BOUNDARY

The Arkansas Gazette of September 2, 1823, contained the following item: "General Rector (says the St. Louis Enquirer) has selected Capt. Joseph C. Brown to survey and mark the boundary line between the State of Missouri and the Territory of Arkansas; and also to run the western boundary of the former, provided the whole can be executed without exceeding the appropriation of $3.000 made by the last session of Congress."

Captain Brown began his work soon after receiving his appointment and completed the line between Missouri and Arkansas the following spring. Defects were found in his survey that gave rise to disputes and in 1843 a new survey was agreed upon by the two states. Davis Thompson was appointed to represent Arkansas and ex-Governor Dunklin represented Missouri. Mr. Dunklin died before the line was completed and Dr. George Penn was appointed to the vacancy. Penn and Thompson finished the survey in the summer of 1845. According to the new survey, the line varied but little from that run by Captain Brown twenty years before, but it settled all controversies.

THE JOG IN THE LINE

Various theories have been advanced to account for the territory north of thirty-six degrees north latitude and east of the St. Francis River being included in the State of Missouri. It will be remembered that by the act of June 4, 1812, Congress established the Territory of Missouri, which included the present State of Arkansas. As early as 1817 the people living in the northern part of Missouri began the circulation of petitions to Congress, asking that body to divide the territory on the line of thirty-six degrees thirty minutes north latitude and admit the portion north of that line as a state. Had the division been made in accordance with the original petitions, Dunklin and Pemiscot counties and a part of New Madrid County, Missouri, would now be a part of Arkansas. Concerning the change in the petitions, before they were sent to Congress, Houck's "History of Missouri" says:

"In the work of securing for the new state at least a portion of the territory on the south, in addition to that proposed by the Territorial Legislature, the services of J. Hardeman Walker were no doubt of great value. Local tradition has inseparably connected his name with the extension of the limits south to the thirty-sixth parallel between the Mississippi and St. Francis rivers. In 1818 Walker was one of the most energetic, public spirited and enterprising citizens of the territory, living on a large plantation near Little Prairie, south of the line proposed in the original petition. As soon as this boundary of the new state was made known, Walker began a vigorous and persistent agitation to secure such a change as would include the country south of New Madrid and the Little Prairie settlements and plantations. He no doubt urged the adoption of the memorial of the Territorial Assembly, praying for the enlarged limits; but the manner in which he succeeded in actually securing the extension is lost to history. It is, however, asserted that this change was effected principally through the personal efforts and influence of Walker. Undoubtedly he was aided by John Scott, of Ste. Genevieve, then the congressional delegate from the territory, and by the powerful influence of the leading lawyers and politicians residing at Jackson, at that time the great business and political center of the territory south of St. Louis."

THE EASTERN BOUNDARY

This boundary line being a natural one, formed as it is by the Mississippi River, one would naturally suppose that controversies over its location would be practically impossible. Yet such is not the case. In 1917 the State of Arkansas filed suit in the United States Supreme Court to determine the boundary line between that state and Tennessee. The suit was the outgrowth of the following incident: On March 7, 1876, the Mississippi River shifted its channel by making what is known as the "Centennial Cut-off," which took about four thousand acres of land from Tennessee and formed "Centennial Island," at the same time leaving the old channel west of this island without sufficient water for steamboat navigation. Arkansas contended that the boundary line was the "middle of the main channel of the Mississippi," and that the shifting of the main channel automatically shifted the boundary.

As a measure of retaliation, the Tennessee Legislature instructed the attorney-general to bring suit against the State of Arkansas and the board of directors of the St. Francis Levee District for damages alleged to have been sustained by Tennessee in a flood of several years before. Tennessee's complaint set forth that the building of levees on the Arkansas side caused the river, in times of high water, to overflow lands on the Tennessee side, causing great damage. The court was asked to enjoin Arkansas and the St. Francis Levee District board from building the levees higher and to appoint a commission to ascertain the extent of damage Tennessee had suffered on account of overflow caused by said levees.

The Arkansas suit was argued on October 9, 1917, and the decision of the court was rendered on March 4, 1918. It was to the effect that the boundary remained as fixed by the treaty between the United States and Great Britain, concluded on September 3, 1783, and that it was not changed by the cut-off of 1876. C. B. Bailey, of Wynne, Arkansas, Horace Vandeventer, of Knoxville, and Charles A. Barton, of Memphis, Tennessee, were appointed commissioners by the court, "to run, locate and designate the boundary line between said states along that portion of the bed of said river that was left dry as the result of said avulsion," etc., and the damage suit of Tennessee was dismissed.

On March 4, 1919, argument was heard by the United States Supreme Court in a similar suit instituted by the State of Arkansas against the State of Mississippi, to determine the boundary line where the Mississippi River had formed a new channel by making a cut-off near Friar's Point. The decision in this case cited that Arkansas and Mississippi had been given the privilege by Congress in 1909 of appointing commissioners to locate the boundary line at this point and that no action had been taken. As in the Tennessee case, the court held that no change had occurred in the boundary line and commissioners were appointed to run the line along the old channel.

THE SOUTHERN BOUNDARY

The northern boundary of Louisiana, which is likewise the southern boundary of Arkansas, was first established by United States survey in 1812-13. At places the line was imperfectly marked and in course of time the markers at other places were destroyed. In 1830 the authorities of Louisiana and Arkansas agreed upon a joint commission to resurvey the line. President Jackson appointed James S. Conway and William Pelham to represent Arkansas and the governor of Louisiana appointed R. A. Crane. These commissioners began their work on November 1, 1830, and finished the survey on January 30, 1831. No change has been made in this portion of the state's boundary lines since that time.

ON THE SOUTHWEST

When Arkansas Territory was established in 1819, the western boundary was described as the "western territorial line." This meant the west line of the Louisiana Purchase and included the present short boundary line between Arkansas and Texas. The "western territorial line" had not then been definitely

established. By the treaty between the United States and Spain, concluded at Washington, D. C., on February 22, 1819, by John Quincy Adams and Don Luis de Onis, the boundary line between the United States and the Spanish possessions (Mexico) was described as "Commencing on the Gulf of Mexico, at the mouth of the Sabine River; thence north and up the Sabine River to latitude thirty-two degrees north; thence due north to the Red River; thence up the Red River and west to longitude one hundred degrees west from London, or twenty-three degrees from Washington; thence across the Red River and north to the Arkansas River; thence up the Arkansas to its source; thence north to the parallel of forty-two degrees north latitude; thence west on that parallel to the Pacific Ocean."

It was also agreed that each party thereto should appoint a commissioner and surveyor to run and mark the line "within one year from the ratification of the treaty." The United States endeavored to establish the claim that the Neches River, instead of the Sabine, was the true boundary line. Had this claim been sustained it would have added a considerable portion of Texas to the United States, as the Neches crosses the thirty-second parallel about eighty miles west of the Sabine.

Owing to the revolution in Mexico, whereby that country achieved its independence from Spain, no effort was made to run and mark the boundary line until late in the year 1828, when a resolution was adopted by the lower house of Congress, instructing the committee on territories to investigate and report on the expediency of passing an act extending the western boundary line of Arkansas due south to the province of Texas, "from a point forty miles west of the southwest corner of Missouri to the Red River." On January 20, 1829, the committee reported: "Our information is that the true boundary line between the United States and the Mexican Territory of Texas will strike the Red River probably west of the point where the western boundary line of Arkansas now terminates. Should this be the case, there will be a tract of country south of the Red River and north of Louisiana, across which the western boundary line of Arkansas will be undefined. To provide for this contingency, the committee submits the following bill," etc.

The bill reported by the committee proposed a boundary line, beginning on the Red River at the southern terminus of what is known as "the Conway line of 1824," and running due south to the parallel of thirty-three degrees north latitude, or the northern boundary of Louisiana. This proposed line was about seventy miles west of the present western boundary of Miller County. The bill was doubtless based on the theory that the Neches River was to be the boundary between the United States and Mexico, or that the thirty-second parallel crossed the Sabine much farther west than it really does. It passed the House, but was not considered in the Senate.

While this bill was pending in Congress, the Mexican authorities appointed a commissioner and surveyor to meet a commissioner and surveyor of the United States and run the line. The Mexicans went to a given point on the Sabine, where, it was afterward claimed, they were to meet the representatives of the United States, but the latter failed to make their appearance, for the reason that the United States Government had received no official notification of the arrangement and no commissioner and surveyor had been appointed.

After waiting for some time, the Mexican officers proceeded to run the line from the Sabine to the Red River, "for their own satisfaction and the satisfaction of those persons who had obtained grants of land south of the Red River."

This ex parte line left the Sabine River some distance south of the parallel of thirty-two degrees north latitude and struck the Red River at the bend just below the head of the Great Raft, a few miles above the City of Shreveport. From that point it followed the Red River north and west. At the time this survey was made Lafayette County extended west of the Red River and included about one-third of the present County of Miller. The line, as established by the Mexicans, cut off all of Miller and that part of Lafayette County lying west (or south) of the river.

About that time the Mexican Government granted to Benjamin Milan (or Maylan) a large tract of land immediately south and west of the Red River, embracing that part of the Arkansas counties cut off by the survey. General Teran, commandant-general of the states of Coahuila and Texas, ordered Colonel Bean to repair with his regiment to the Red River, ostensibly to reconnoiter the location and disposition of the Indian tribes, but really to prevent people from the United States from attempting to form settlements about Punta Pacana (Pecan Point). In carrying out his orders, Colonel Bean seems to have gone into Miller County and to have written a note to Governor Pope to inquire by what authority the Territory of Arkansas claimed jurisdiction there, informing the governor in a somewhat insolent manner that the territory was beyond the boundary of the United States.

Closely following this action of Colonel Bean, Benjamin Milan notified Governor Pope that he had established a land office at Lost Prairie, and that he was about to begin the survey and sale of land granted to him by the Mexican authorities. It is hardly necessary to state that there was considerable excitement and uneasiness among the settlers in the disputed territory. Some of them favored the Mexican claim and refused to recognize the civil authorities of the United States; while others remained loyal to the Federal Government and the Territory of Arkansas. Under date of September 21, 1830, Governor Pope filed a complaint with Martin Van Buren, then secretary of state in President Jackson's cabinet, setting forth Arkansas' claim to the territory and asking him to take the necessary steps to restrain Milan and others from making further attempts to dispose of the lands until the boundary question was adjusted.

Van Buren at once laid the matter before Senor Torel, the Mexican minister to the United States, who in turn referred the question to his government and at the same time wrote to General Teran to order all parties to refrain from further operations until some definite conclusion was reached. On October 2, 1830, he advised Mr. Van Buren of what he had done and suggested that Governor Pope be enjoined to abstain from all radical action "whose result might be fatal to an amicable adjustment of the boundary question." Acting under the orders thus received, General Teran directed Milan to cease operations, but in his reply to Van Buren in March, 1831, Senor Torel insisted that Pecan Point was "within Mexican territory by at least sixty leagues." He also pointed out that some five hundred Americans were settlers within the disputed territory without authority from Mexico, and suggested that if Governor Pope was opposed to the Milan settlement he should remove those who had located there

until the boundary line was surveyed. In his message to the Arkansas Legislature on October 5, 1831, Governor Pope said:

"The difficulties and collisions with which we were threatened under the authority of the Mexican Government have subsided and the Government of the United States and that of Mexico have agreed to suspend any interference with the settlements or country claimed on either side; and that things shall remain as they are until the question of right and boundary can be amicably and finally adjusted. Pursuant to this understanding and temporary arrangement between the two governments, the President of the United States has instructed me to exercise and maintain jurisdiction to the extent it has been heretofore uniformly claimed and exercised by the authorities of the territory, but not to transcend that line."

Thus the whole question rested until after Texas, by revolution, declared herself free and independent and set up a republic which fell heir to the Mexican claims with regard to the boundary line. On November 6, 1837, Governor Conway, in his message to the Legislature, said, "In May last I received information that the Republic of Texas had passed an act creating a land district of all that section of Arkansas lying between the main Red River and the Sulphur Fork, thus embracing the entire County of Miller and about half of the County of Lafayette." (See sketch of Miller County.)

On April 25, 1838, the United States concluded a treaty with the Republic of Texas, one article of which provided for a joint commission to survey and mark the boundary line from the mouth of the Sabine River to the Red River, in accordance with the provisions of previous treaties. President Van Buren appointed John H. Overton, of Louisiana, commissioner and John R. Conway, of Arkansas, surveyor. The Texas authorities appointed Memucum Hunt, commissioner, and A. B. Gray, surveyor. The commission met and organized at New Orleans on August 7, 1839. Owing to the absence of Dr. John R. Conway, an adjournment was taken to the 15th of October. Work was not commenced, however, until about the middle of February, 1840. After numerous delays and some slight disagreements, which were satisfactorily adjusted, the line was completed to the Red River, at the present northwest corner of Miller County, on June 24, 1841. While the result was disappointing to some Arkansas people, this survey settled a question that had been a matter of dispute for more than twenty years.

THE WESTERN BOUNDARY

By the Treaty of Paris, April 30, 1803, the United States acquired the Province of Louisiana, which extended the public domain westward to the sources of the streams flowing into the Mississippi River. But the lands west of the Mississippi were occupied by Indian tribes and the Government adhered to the policy, established by the constitution, of not dispossessing the natives except by formal treaty. The western boundary of Arkansas, mentioned in the act of March 2, 1819, as the vague "western territorial line," has therefore been greatly modified by Indian treaties. A history of these treaties has been given in an earlier chapter. They are here referred to only as they affected the boundary line of the state.

The Osage cessions of 1808, 1818 and 1825 extinguished the claims of that tribe to the lands north of the Arkansas River and west to the Verdigris River, some fifty miles west of the present western line of Arkansas. By an order dated December 15, 1818, the war department fixed the western limit of white settlement at a line drawn through the sources of the Poteau and Kiamichi rivers, the former a branch of the Arkansas and the latter a branch of the Red River. A large number of white settlers took advantage of this order to select lands and build homes immediately east of this line, though the lands had not been formally opened to settlement. Near the mouth of the Kiamichi some two hundred families located west of the line.

By the Choctaw treaty of October 18, 1820, the eastern limit of the lands in Arkansas granted to that tribe was a line beginning at Point Remove on the Arkansas River, not far from the present City of Morrillton, and running thence southwest to the Red River, three miles below the mouth of Little River. West of this line, all the lands between the Red River on the south and the Arkansas and Canadian rivers on the north, and extending west to the meridian of one hundred degrees west longitude, were granted to the Choctaw nation. These lands had been ceded to the United States by the Quapaw Indians in the treaty of August 24, 1818.

Henry B. Downs, the surveyor who ran the line from Point Remove to the Red River in 1821, found some five thousand white people living west of the line. To protect these settlers, he recommended that the eastern limit of the Choctaw grant be fixed at the Kiamichi-Poteau line established by the war department two years before. Instead of acting upon his recommendation, the Government ordered the settlers to remove to the east side of the line. A few of them went to Texas, but the majority of them did not move at all and finally acquired title to their lands after a definite boundary was established.

The people of Arkansas were very much dissatisfied by this curtailment of their territory. Protests and memorials were sent to Congress and on March 3, 1823, that body ordered: "That the unexpended balance of the appropriation for carrying into effect the treaty of October 18, 1820, with the Choctaw nation of Indians may be used in negotiating such a modification of the treaty as to have established as the eastern boundary of the cession made by that treaty to the Choctaw nation, and as the western boundary of the territory of Arkansas, a line drawn from the southwest corner of the State of Missouri due south to the Red River."

This appears to have been the first attempt on the part of Congress to reduce the size of Arkansas Territory by establishing a boundary on the west other than the "western territorial line." Nothing came of the act, however, as the commissioners appointed to negotiate the modification of the treaty failed to perform their duty. The proposed new boundary cut off a large number of the settlers in the western part of the territory and on October 18, 1823, the Arkansas Legislature adopted a memorial to Congress asking for a line "to commence at the southwest corner of the State of Missouri, and running thence to the falls on the Verdigris River, and from thence to the mouth of the Kiamsha (Kiamichi) on the Red River."

Senator Thomas H. Benton, of Missouri, presented the memorial to the United States Senate on December 17, 1823. It was referred to a special com-

mittee, consisting of Mr. Benton, William R. King, of Alabama, and Walter Lowrie, of Pennsylvania. On March 23, 1824, this committee made a report in which the following statement of the whole situation was given:

"By information derived from the delegate of said Territory of Arkansas, the committee are informed that the number of inhabitants thus cut off from the Government under which they had lived amounts to about twelve hundred souls; and the inquiries which present themselves are: 1st. Whether the said inhabitants shall be left as they are, without any law to govern them? 2nd. Or, whether they shall be compelled to come within the present limits of the territory? 3d. Or, whether the western boundary shall be extended to include them?

"The first alternative the committee reject, for reasons too obvious to require specification. To the second, many objections are found, arising from the organized state of the counties; the claim which many of the inhabitants set up for preëmption rights, under the act of Congress of the 12th of April, 1814: and, above all, from the fact that, by an order issued from the war department on the 15th of December, 1818, a line drawn from the source of the Kiamsha to the source of the Poteau was fixed as the limit of western settlements in Arkansas, and settlers west of that line were ordered to be removed to the east of it: in the execution of which order, by the commanding officer of Fort Smith, the settlers in the now counties of Miller and Crawford were not removed, because found to be on the eastern side of said line. The third alternative is therefore adopted by the committee, as well for the reasons growing out of the objections to the first and second, as because a line further west will divide into two equal parts the territory of the United States upon the Arkansas, east of the Mexican boundary, and will give to the future state of Arkansas that power and magnitude, to which, as a frontier state, in relation both to a foreign nation and numerous Indian tribes, it will be justly entitled.

"The adjustment of the Indian boundary lines not being a subject of legislation, the committee do not make any report upon the existing boundary between the Choctaw and white settlers in the Territory of Arkansas. They leave that subject to the operation of treaties, made, or to be made; and report a bill solely for the extension of the western boundary line of the Territory of Arkansas."

The bill reported by the committee provided for a boundary line "commencing at a point forty miles due west of the southwest corner of the State of Missouri, running thence south to the right bank of the Red River, and thence down that river, with the Mexican boundary, to the line of the State of Louisiana." It passed the Senate with only a few dissenting votes and was sent to the House. There it was championed by Henry W. Conway, the delegate from Arkansas Territory. On the first vote the measure was defeated, but upon a reconsideration it was passed on May 26, 1824. In addition to defining the western boundary of the territory, the bill carried an appropriation of $10,000 to defray the expense of negotiating a new treaty with the Choctaw, or at least a modification of their claims under the treaty of 1820. The boundary fixed by this act is sometimes called "the Conway line of 1824." It was destined, however, never to become the west line of Arkansas.

As soon as the Choctaw learned of the extension of the Territory of Arkansas

so far to the westward, they set up the complaint that it was a violation of their treaty rights. Late in the year 1824 John C. Calhoun, then secretary of war, called the leading Choctaw chiefs to Washington, where on January 20, 1825, a new treaty was concluded, by which the tribe ceded to the United States all claim to the lands "east of a line beginning on the Arkansas River, one hundred paces east of Fort Smith, and running thence due south to the Red River." It was also stipulated in the treaty that this line was to remain the permanent boundary between the United States and the Choctaw nation. President John Quincy Adams appointed James S. Conway to survey the line, which was done during the summer and fall of 1825. It now constitutes the boundary line between Arkansas and Oklahoma south of the Arkansas River.

North of the Arkansas River the boundary line was fixed by the Cherokee treaty of May 6, 1828. The reader is referred to Chapter III for an account of how the Cherokee nation acquired lands in Arkansas, the extent of their domain, and the manner in which the lands were retroceded to the United States. Article one of the treaty of May 6, 1828, provided that:

"The western boundary of Arkansas shall be and the same is hereby defined, viz.: A line shall be run commencing on the Red River, at a point where the eastern Choctaw line strikes said river and run due north with said line to the River Arkansas, thence in a direct line to the southwest corner of the State of Missouri."

The Choctaw complained that they had been defrauded of some of their lands by the survey of 1825 and a new survey was ordered in 1857. Only about eight miles of the line were run, when the Government ordered the surveyors elsewhere. Again the Choctaw expressed their dissatisfaction, but it was not until March 3, 1875, that Congress ordered the line to be retraced. Henry E. McKee made the survey in 1877 and found that the line, as surveyed in 1825, diverged to the west from a due south course, throwing into Arkansas 137,500 acres that really should have been awarded to the Indians. In making the survey of the line north of the Arkansas, Mr. McKee discovered that the Cherokee survey of 1831 took 2,540 acres from that tribe. No changes were made in the boundary lines, Congress making an appropriation to pay the Indians for the lands thus wrongfully taken.

PRESENT BOUNDARIES

The act of June 15, 1836, admitting Arkansas into the Union, defined the boundaries of the state as follows:

"Beginning in the middle of the main channel of the Mississippi River, on the parallel of 36° north latitude, running thence west to the St. Francis River, thence up the middle of the main channel of said river to the parallel of 36° 30′ north; from thence west to the southwest corner of the State of Missouri; and from thence to be bounded on the west, to the north bank of the Red River, by the lines described in the first article of the treaty between the United States and the Cherokee nation of Indians west of the Mississippi, made and concluded at the City of Washington on the 6th day of May, 1828; and to be bounded on the south side of the Red River by the Mexican boundary line, to the northwest corner of the State of Louisiana; thence east with the Louisiana state line

to the middle of the main channel of the Mississippi River; thence up the middle of the main channel of the said river to the 36° of north latitude, the point of beginning."

The boundaries as thus described remain the boundaries of the state today, except that Congress, by the act of February 11, 1905, ceded to Arkansas a small strip of land, known as the "Choctaw Strip," lying west of Fort Smith, between the line of the McKee survey and the Poteau River. It is about one and a half miles long and contains about forty acres. The cession was accepted by the Legislature of Arkansas, by acts approved by Governor Davis on February 16 and March 11, 1905.

CHAPTER XXI

CAPITALS AND CAPITOLS

ARKANSAS' FOUR SEATS OF GOVERNMENT—ARKANSAS POST—ITS EARLY HISTORY—FORT OF ARKANSAS—COMMANDANTS—EARLY SETTLERS—FIRST TRUSTEES OF THE TOWN—THE CAPITAL REMOVED—AT HOT SPRINGS—AT WASHINGTON—FIRST PUBLIC BUILDING—THE OLD STATE HOUSE—THE BEEBE TITLE—AS A WAR MEMORIAL—THE NEW CAPITOL.

In the course of a century the capital, or seat of government, of Arkansas has been located at four different places—Arkansas Post, Little Rock, Hot Springs and Washington. The first two were established by law, at different times, as the permanent seat of government, and the other two were emergency or temporary capitals, owing to conditions growing out of the Civil war.

ARKANSAS POST

Section 13 of the act organizing Arkansas as a territory reads as follows: "And be it further enacted, That until otherwise directed by the legislative department of the said Territory of Arkansas, the seat of the territorial government thereof shall be the Post of Arkansas; on the Arkansas River."

Congress no doubt felt that there were good and sufficient reasons for the selection of this point as the territorial capital. It was the oldest and best known settlement within the territory, and its location on the Arkansas River rendered it the most easy of access. The history of Arkansas Post dates back to the latter part of the Seventeenth Century. As La Salle was returning to Canada in 1682, after his discovery of the mouth of the Mississippi River, he gave to his lieutenant, Henry de Tonti, a large tract or concession of land at the Quapaw villages on the Arkansas River. Tonti stopped in the Illinois country, while La Salle went on to Canada and thence to France, to make arrangements for colonizing the country he had discovered. In the spring of 1686 Tonti received orders to go to the mouth of the Mississippi to meet La Salle, who was on his way to America with a company of colonists. (For an account of this voyage of La Salle, his mistake and death, see Chapter IV.)

Failing to meet his old commander, Tonti returned up the Mississippi. Upon reaching the mouth of the Arkansas he ascended that stream to look over the land granted him four years before. Some of his men asked permission to settle there and open a trade with the friendly Quapaw Indians. Yielding to their entreaties, he left ten men, with a subaltern named Couture in command. This was the beginning of Arkansas Post, the oldest settlement in the lower Mississippi Valley. To aid in making the settlement permanent, Tonti granted a considerable tract of land to the Catholic Church in 1689, and for about three

years supported at his own expense a missionary, who was to look after the spiritual welfare of the natives and instruct them in agriculture.

When Joutel and the survivors of the La Salle's ill-fated expedition arrived at the post in 1687 they found there only two of the ten men—Couture and Delaunay. The others had either returned to the Illinois country or had married Indian wives and were living in the Quapaw villages. How long after this Couture and Delaunay remained at the post is uncertain.

In 1722 the French regent, the Duke of Orleans, ordered Bernard de la Harpe to explore the Arkansas River and "establish a permanent post at the Arkansas, as a connecting point between the Illinois and the lower part of the colony, and to facilitate the introduction of horses, mules and cattle from the Spanish provinces." Under this order La Harpe improved the stockade and in September, 1722, placed there a regular garrison under command of Lieutenant de Boulaye. This really marks the beginning of the post's civil history. In the report of his expedition La Harpe says: "Prior to this time the place had been only a trading and military post among the Indians."

Thwaites, in his "Early Western Travels," says: "The post was maintained as a trading center and Jesuit mission throughout the French occupation and survived an unexpected attack by the Chickasaw Indians in 1748. The Jesuits abandoned it as an unfruitful field in 1763. During the Spanish occupation, the importance of this post as a trading station increased. Pierre Laclede, founder of St. Louis, had a branch warehouse at Arkansas Post and died here in 1778. Upon the American occupation (1804) civil government was established."

Thwaites' statement that the importance of the post increased under the Spanish regime, is borne out by the fact that it is mentioned in the old Spanish records as the "Parish of Arkansas, in the Province of Louisiana." Further evidence that it was regarded by the Spanish authorities as a strategic point is seen in the military report of Baron de Carondelet, governor of Louisiana, under date of November 24, 1794. After describing the various military posts along the Mississippi River, their needs, etc., he says:

"FORT OF AKANSAS"

"There still remains one passage to close to the enemy, by which, if they should force the passage of Ecores a Margot (Memphis), they might be able to penetrate into the region of Lower Louisiana. It is on the west bank of the Mississippi before passing by the fort of Nogales (Vicksburg), and is the Akansas River which is navigable for keel boats. By it the enemy might enter as far as the town (Arkansas Post) located at a distance of twelve leagues from its junction with the Mississippi, and thence pass by means of a very well known and passable road to the settlements of Ouachita, Attakapas, Opelousas, Natchitoches, etc. These settlements have no other defense than their militia and some Indian nations. But by constructing a fort and redoubt of earth and sod in the same place where the present fort is located (which since it is nothing but a girdle of stakes, occupied by a garrison of thirty men, can be of no use except against the Indians), it is evident that a garrison of 100 men, who could be furnished in time of war from Nogales, joined to a like number of

militiamen, all excellent hunters who live in the town, and lastly to some two hundred valiant warriors of the Akansa nation, could advantageously dispute with the enemy the ascent of the river and offer them some difficulties sufficient to dissuade them from undertaking a dangerous expedition through a level country, exposed to the failure of provisions and to the attacks of cavalry or the militia of Natchitoches, Attakapas, Akansas, etc."

At the time this report was made there was considerable dissatisfaction among the citizens of the United States over the Spanish restriction of the navigation of the Mississippi River. Carondelet feared that this dissatisfaction might culminate in an attack on the Louisiana settlements—possibly on New Orleans—and he was urging his government to strengthen all those settlements, so that they would be in a position to resist any attempted invasion.

COMMANDANTS

It would be interesting to give a complete list of the commandants of this old post, if such a list could be found, during the French and Spanish occupation. From various sources the writer has been able to collect the names of those who were likely the most important. Doubtless there were others, who remained only a short time, or who did nothing to cause their records to be preserved. Of the French commandants, Lieutenant de Boulaye was appointed in September, 1722. In 1736 the commandant was D'Grandpre, and the name of M. Delino appears in 1743. Captain Bossu visited the post in 1751, but does not mention the name of the commandant at that time, most of his narrative being given up to his personal exploits.

Louisiana passed into the hands of Spain in 1762, by the Treaty of Fontainebleau. Capt. Philip Pittman, of the British army, visited the post in 1765. His "Present State of the European Settlements on the Mississippi" was published in 1770. Like Captain Bossu, he fails to give the name of the commandant at the time of his visit, though he gives the following description of the post:

"The fort is situated three leagues up the River Arcansas, and is built with stockades in a quadrangular form; the sides of the exterior polygon are about one hundred and eighty feet and one three-pounder is mounted in the flanks and faces of each bastion. The buildings within the fort are, a barrack with three rooms for the soldiers, commanding officer's house, a powder magazine, a magazine for provision, and an apartment for the commissary, all of which are in a ruinous condition. The fort stands about two hundred yards from the waterside and is garrisoned by a captain, a lieutenant and thirty French soldiers, including sergeants and corporals. There are eight houses without the fort, occupied by as many families, who have cleared the land about nine hundred yards in depth; but on account of the sandiness of the soil and the lowness of the situation, which makes it subject to be overflowed, they do not raise their necessary provisions. These people subsist mostly by hunting and every season send to New Orleans great quantities of bear's oil, tallow, salted buffaloe meat and a few skins."

The earliest Spanish commandant, of whom any definite information can be obtained, was a Captain Chalmette, who is mentioned in the records of 1780.

In 1785 Governor Miro sent the Sixth Spanish Regiment to Arkansas Post. It was commanded by Don Joseph Valliere, who became commandant of the post. He was succeeded by Don Carlos Villemont in 1790. Both Valliere and Villemont received large land grants from the governor of Louisiana and further mention of them will be found in the chapter on "French and Spanish Land Grants." Some writers state that Villemont continued in the office until the American occupation. This is a mistake. Just when he relinquished the command is not certain, but the name of Francisco Casa y Luengo appears in the records as commandant in the summer of 1803. He evidently held the position but a short time and was succeeded by Ignace el Leno, who turned the post over to the United States authorities in 1804. Capt. James B. Many, of the United States army, was then appointed commandant.

Under French and Spanish rule the commandant exercised both military and civil power. He was at the same time executive and magistrate, though in civil or criminal cases of importance he had the privilege of calling three citizens to sit with him as judges. He could grant lands, but such grants did not become valid until the land was surveyed and the transaction approved by the governor at New Orleans.

EARLY SETTLERS

Until about the beginning of the Nineteenth Century the white inhabitants of Arkansas Post were mostly French. When Louisiana was ceded to Spain in 1762 many of the French who lived in the province took the oath of allegiance and became Spanish subjects. After the purchase of Louisiana by the United States a number of emigrants from the states east of the Mississippi located in and around the post. When the territory was organized in 1819 the English-speaking inhabitants were in the majority. Among the leading citizens at this time were: William O. Allen, Louis Barton, Charles Bogy, Jacob Bright, Stokeley H. Coulter, William Craig, John B. Dagler, Terence Farrelly, Mathias Foos, Peter (or Pierre) Le Fevre, Eli J. Lewis, Samuel Mosely, Frederick Notrebe, James and Hewes Scull, Etienne, Nathaniel and Stephen Vasseau, and the Vaugines.

A few of these early settlers deserve more than passing mention. Terence Farrelly was a native of Ireland, where he was born in 1792; came to America about the time he reached his majority; lived for a time in Pennsylvania; came to Arkansas Post in 1818 and embarked in the merchandising business with Thomas Curran for a partner; served several terms in the Territorial Legislatue; was elected speaker of the house in 1823, and was a member of the constitutional convention of 1836. He married Mrs. Mary Mosely, widow of Samuel Mosely, one of the early merchants, and to this marriage were born eight children. Mr. Farrelly died in 1865.

Eli J. Lewis was one of the most active and energetic citizens of the post. He was the senior member of the mercantile firm of Lewis & Thomas, the first clerk of the Circuit Court, proprietor of a tanyard, and when the postoffice was established on July 1, 1817, he was appointed the first postmaster. At that time the only road worthy of mention was the one running from Ste. Genevieve, Missouri, via Davidsonville and Arkansas Post, to Ouachita, Louisiana. Over

this road the mail was carried monthly by a rider on horseback. Sometimes, in bad weather, the mail rider did not appear for two months. In the first number of the "Arkansas Gazette," November 20, 1819, Mr. Lewis published a list of the unclaimed letters remaining in the office on the last day of September. Among the names in this list were: Stephen F. Austin, James Caldwell, Townsend Dickinson, John Fulton, William Gray, John Henderson, Dr. Jonathan Isom, John McLane, Gov. James Miller, William Russell, Andrew Scott, John Taylor and James Whitehead.

Thomas Nuttall, the naturalist, arrived at Arkansas Post on January 22, 1819, for the purpose of ascending the Arkansas River and studying the flora along its course. In his "Journal of Travels" he says: "On arriving, I waited on Monsieur Bougie (probably Charles Bogy), one of the earliest settlers and principal inhabitants of the place, to whom I was introduced by letter. I soon found him a gentleman, though disguised at this time in the garb of a Canadian boatman. He treated me with great politeness and respect, and, from the first interview, appeared to take a generous and active interest in my favour. Monsieur Bougie was by birth a Canadian, and, though seventy years of age, possessed almost the vigour and agility of youth. This settlement owes much to his enterprise and industry.

"The town, or rather settlement of the Post of Arkansas, was somewhat dispersed over a prairie, nearly as elevated as that of the Chicasaw Bluffs, and containing between thirty and forty houses. The merchants then transacting nearly all the business of the Arkansa and White River, were Messrs. Braham & Drope, Mr. Lewis and Monsieur Notrebe, who kept well-assorted stores of merchandize, supplied chiefly from New Orleans, with the exception of some heavy articles of domestic manufacture obtained from Pittsburgh. Mr. Drope, to whom I was also introduced by letter, received me with politeness, and I could not but now for awhile consider myself as once more introduced into the circle of civilization."

The Monsieur Notrebe mentioned by Nuttall was Frederick Notrebe, for many years one of the most striking characters about the post. He was a native of France, a member of a prominent French family and received a liberal education. As a youth he took part in the French Revolution, under the great Napoleon, and was an officer in the French army under the consulate. But when Napoleon threw off the mask and declared himself emperor, Notrebe left France and for a time served in the armies of Spain. About 1809 he came to the United States. Authorities differ as to when he located at Arkansas Post. Reynolds says "about 1810," Hempstead, "as early as 1816." His arrival was probably somewhere between those two dates. Soon after his arrival he engaged in the Indian trade and in a few years became one of the leading merchants. He was also the owner of a large plantation and a number of slaves and in the '40s was considered one of the most prominent men in the colony. He died of cholera at New Orleans on April 4, 1849.

Pope, in his "Early Days in Arkansas," says: "Colonel Notrebe was a man of commanding presence, with very black hair and eyes and dark complexion. He had large but regular features and had been in his youth, doubtless, a handsome man."

His son, Charles, who died in 1841, was for some time engaged in the mer-

cantile business at Arkansas Post, having for his partner William B. Wait, who removed to Little Rock in the fall of 1843. A daughter, Francine Notrebe, became the wife of William Cummins, the well known lawyer and politician.

Other early merchants were Pryor & Richards, Samuel Mosely, Henry P. Hyde and William Montgomery. Richards and Mosely died about the time the territorial government was organized. James Scull had a grist mill and cotton gin and did a thriving business with both. Stokeley H. Coulter, a North Carolinian, and J. B. Burt were the pioneer merchant tailors; William Craig kept a hotel, or tavern, which was a popular house of entertainment. Shinn says: "Men of fashion congregated there to discuss the news and show their clothes." Henry Cassidy, Jason Chamberlain, Rufus P. Spaulding and Perley Wallis were the first lawyers, and Dr. Jonathan Isom was one of the earliest physicians.

In 1820 a land office was opened, with William D. Simms as register and Henry W. Conway as receiver. About the same time William O. Allen laid out the Town of Arkansas, adjoining the post. The first election for trustees of this new town was held at the house of William Montgomery on January 22, 1821, and resulted in the choice of the following: David Brearley, James Hamilton, Robert McKay, John Maxwell and Frederick Notrebe.

THE CAPITAL REMOVED

By the act of October 18, 1820, of the Territorial Legislature the sessions of that body and the Superior Court were to be held at Little Rock after June 1, 1821. With the removal of the seat of government, Arkansas Post lost much of its former prestige. It remained an important shipping point on the Arkansas River until the railroad supplanted the steamboat. On January 11, 1863, the place was captured by the Federal troops under General McClernand and the fleet commanded by Admiral Porter, an account of which is given in the chapter on the Civil war.

The passage of the act of October 18, 1820, was due chiefly to the representations of Amos Wheeler, who, on behalf of himself, Chester Ashley, William Russell and others, went before the General Assembly with a proposal to donate a site for a capitol building and a guarantee of $20,000 that a suitable structure for the legislative sessions would be erected without expense to the territory. No public buildings of any kind had been erected at Arkansas Post. The legislative session that met in February, 1820, was held at the house of Robert Crittenden and the adjourned session in the following October was held in a house rented from John Larquin. The arguments that Little Rock was nearer the geographical center of the territory, and that the site was not in danger of overflow also had some weight. The history of Little Rock as a city is given in a subsequent chapter and it is only necessary to state here that it has remained the seat of government since 1821, with the exception of two brief periods during the Civil war.

AT HOT SPRINGS

In the spring of 1862 the Federal army commanded by Gen. Samuel R. Curtis invaded Northern Arkansas and marched toward Little Rock. Without

waiting for authority from the Legislature, Gov. Henry M. Rector, on May 6, 1862, wrote to Edmund Burgevin, adjutant-general of the state, as follows:

"Sir: In my absence from the capital, you are authorized and empowered to raise volunteers, swear them into service as provided in my proclamation of the 5th inst., and to operate against the approaching Federal army to the best advantage, so as to impede their progress towards the capital and south of it, if they should continue their march onward after reaching this point. You are authorized to call upon Col. S. Faulkner, C. S. military store keeper, for any ammunition on hand belonging to the Confederate Government, and charge the same to the State of Arkansas. You are further authorized to call upon the state quartermaster at this place for subsistence, transportation, etc., necessary for such men as you may swear into service as provided by said proclamation."

Immediately after giving these instructions to the adjutant-general, the governor, secretary of state and state treasurer packed up the most important state records, funds, etc., and went to Hot Springs, where temporary quarters were established. Many people deemed this action on the part of the governor as unnecessary. The "True Democrat" in its issue of May 22, 1862, said:

"We would be glad if some patriotic gentleman would relieve the anxiety of the public by informing it of the locality of the state government. The last that was heard of it here, it was aboard of the steamer 'Little Rock,' about two weeks ago, stemming the current of the Arkansas River."

The same paper in its issue of July 3, 1862, said: "Under the title 'Where is the Seat of Government?' a writer in the 'Gazette' of last week shows that the seat of government is at Little Rock. Indeed, in the absence of any official notification of removal or change of location it cannot be otherwise. If part of the state government is rusticating, we suppose there is some reason for it, but it is decidedly inconvenient to those who have business to transact with the state."

Toward the latter part of July the scare was over and Governor Rector returned to Little Rock. On November 29, 1862, Governor Flanagin approved an act providing: "That the sum of sixty-eight dollars be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to pay John I. Stirman, late secretary of state, for moneys expended in consequence of the removal of the seat of government from Little Rock to Hot Springs during the summer of 1862."

AT WASHINGTON

A resolution adopted by the Legislature and approved by Governor Flanagin on November 27, 1862, provided: "That the governor be and he is hereby invested with authority to move the seat of government, and all property of a movable character belonging thereto, to a place of safety, not beyond the limits of the state, when, in his judgment, it shall be deemed expedient."

At the same time the judges of the Supreme Court and the Court of Chancery were directed to remove "the library and all books and papers belonging to said courts to the said temporary seat of government; and by giving notice in two or more of the public newspapers of the state, of the time and place of said removal, proceed to hold said courts, as is otherwise provided by law: Pro-

vided, that it shall be the duty of the governor to return the seat of government and property, and of the judges to return the library, books and papers to Little Rock, when the cause of removal ceases to exist."

Early in September, 1863, when it became apparent that Gen. Frederick Steele's intention was to occupy Little Rock with his army, Governor Flanagin, under the authority conferred upon him by the above resolution, issued his proclamation directing the removal of the seat of government to Washington, Hempstead County. A session of the Legislature was convened there in September, 1864, and Washington continued to be Governor Flanagin's capital until the spring of 1865, when his administration was brought to an end by the fortunes of war. Since that time the seat of government has remained at Little Rock without interruption.

FIRST PUBLIC BUILDING

Pope, in his "Early Days in Arkansas" (p. 82), says: "Shortly after the seat of government was located at Little Rock, a common one-story building—a mere shell—was erected on the block of ground bounded by Main and Scott streets, and by what are now Fifth and Sixth streets. This building contained two rooms about twenty feet square, divided by a hall. Here the Legislative Assembly met every two years."

The building thus described by Pope as "a mere shell" was the one erected by Amos Wheeler and his associates, as an inducement to remove the seat of government to Little Rock. In it the first legislative session in Little Rock began on October 1, 1821. The sessions were held here until 1831, when it is said "The building had become so dilapidated that the rain leaked in on the head of the judge as he was administering the oath of office to the members." According to the Gazette, the session of 1833 was held in "two rooms of Colonel Caldwell's long row of frame buildings." The last Territorial Legislature, which met on October 5, 1835, held its session in the old Henderliter house, on the northwest corner of Third (then Mulberry) and Cumberland streets. Says Pope: "When I first knew this old house, now sixty-two years ago (Pope was writing in 1894), it was a two-story log building, but the addition of weatherboarding has given it the appearance of a frame structure. It was built by one Jesse Henderliter, a German, who kept a small grocery store in the west end of the building, occupying the balance as a family residence."

THE OLD STATE HOUSE

In his message to the Legislature in October, 1829, Governor Pope called attention to the necessity of providing better quarters for the General Assembly and permanent offices for the territorial officials. He expressed an opinion that the General Government would be willing to aid in the erection of a public building for the territory and recommended a memorial to Congress asking for assistance. On March 2, 1831, President Jackson approved an act which provided:

"That the Legislature of the Territory of Arkansas be, and they are hereby, authorized to select, or cause to be selected, a quantity of the unappropriated lands in the Territory of Arkansas, not exceeding ten sections, and in portions

OLD HENDERLITER HOUSE IN WHICH THE LAST TERRITORIAL LEGISLATURE MET, 1835

OLD STATE CAPITOL, LITTLE ROCK, NOW WAR MEMORIAL

not less than one-quarter section, which is hereby granted to said territory for the purpose of raising a fund for the erection of a public building at Little Rock, the seat of government of said territory," etc.

An effort was made by the Legislature of 1831 to exchange the ten sections for the residence of Robert Crittenden in Little Rock, and use the residence for a capitol building, but the bill was vetoed by Governor Pope. A full account of this controversy is given in the chapter on "Arkansas as a Territory." Congress then authorized the governor to select and dispose of the land. All this occasioned a delay and it was not until January, 1833, that a sufficient sum was realized to justify the commencement of a building. Then, through donations by Chester Ashley and David G. Eller and the purchase of five lots from William Russell, who also donated three other lots, Governor Pope acquired the site in the name of the territory. The deeds to these lots are dated January 14, 1833.

Governor Pope's next step was to select an architect to draw plans for a building. His choice fell upon Gideon Shryock, the designer of the Kentucky capitol, who made the plans and recommended George Weigart as supervising architect. Mr. Weigart brought the plans to Little Rock, but they were found to be too elaborate for the amount of funds at the governor's disposal. Governor Pope and Mr. Weigart went over the drawings carefully, eliminated the non-essentials, and thus brought the estimated cost of the building within the financial requirements. Work on the state house was commenced in March, 1833. The amount realized up to that time from the sale of the ten sections of land was $24,504, and $400 had been contributed by Chester Ashley, R. C. Byrd, Joseph Henderson, A. H. Sevier and William E. Woodruff. But $800 had been paid for the lots, leaving in the building fund $24,104.

In the meantime Congress, by the act of June 15, 1832, had granted to Arkansas 1,000 acres for the building of a courthouse and jail in Little Rock. This "thousand-acre tract" was sold and the proceeds were turned into the state house fund. In 1836 Congress made an additional land grant of five sections for the completion of the building. The original cost of the state house, with the sources from which the building fund was obtained, was as follows:

From sale of the ten sections	$ 31,722
From sale of the 1,000 acre tract	16,657
From sale of the five sections	38,000
Appropriation by Legislature of 1840	37,000
Total	$123,379

The structure was near enough finished on September 12, 1836, to accommodate the first State Legislature, though it was not entirely completed until after the appropriation of $37,000 by the Legislature of 1840 became available. Governor Pope did not continue in office long enough to see the completion of the state house, upon which he had lavished an almost paternal care, as he was succeeded by Governor Fulton on March 9, 1835. Concerning the part he had taken in giving to Arkansas the first public building, Ambrose H. Sevier, in an address to the people of Arkansas, published in the Gazette of April 7, 1835, said:

"An ineffectual effort was made at the last session, predicated upon the recommendation of Governor Pope, to obtain a further grant of land to complete the state house. A bill was reported by the committee on public lands, in accordance with the views of the governor, but owing to the great press of business at the close of the short session, it was impossible to get it passed into a law. * * * The building, I understand, is in a state of forwardness and will probably be in a condition for the reception of the Legislature at their next session. The untiring perseverance, as well as the ability, he has displayed in the management of that trust, richly entitles him to the thanks and gratitude of the public. With the limited means heretofore given him, he has contrived to obtain funds to construct a building for the occupancy of our present and future law-givers, of which, when finished, the town and territory may be proud. To my own knowledge, he has been greatly perplexed about this building; but he has measurably triumphed over all the difficulties with which he has been beset, and has finally succeeded in erecting a splendid edifice without soliciting the aid of our treasury for a single dollar. The labor, care and responsibility incurred about this work did not pertain to his office. He is now a private citizen and is about leaving us forever, and I may be pardoned, I hope, for slightly invading the peculiar province of others, by respectfully suggesting, as a matter of strict justice, that he should receive, at the hands of our Legislature, a reasonable reward for his services."

The Legislature did not see fit to act upon Mr. Sevier's suggestion to allow Governor Pope extra compensation for his services. While many recognized the importance of what he had accomplished in securing a public building for Arkansas, there was a faction from which he received more fault-finding than favor, more curses than commendations. But after a lapse of more than four score years, the people of the state generally acknowledge the value of his services in connection with the state house, and revere his memory as one of Arkansas' greatest territorial governors.

THE BEEBE TITLE

No patents from the Government were issued to persons holding claims under what was known as the New Madrid location act, under which title to the twelve lots comprising the state house grounds was claimed by William Russell and his associates. In 1836 Roswell Beebe received from the Government, under the military bounty act, a patent for the land upon which the state house was then in process of erection. On December 26, 1839, he filed a new plat of that portion of the City of Little Rock covering the same land as the plat filed by William Russell in 1822. The state house grounds are shown on the Beebe plat as a block 300 feet square, bounded by Markham, Water, Ashley and Conway streets. The block he conveyed to the state on February 13, 1850, for a consideration of one dollar, thus giving the State of Arkansas a clear title to the capitol grounds.

In 1877 the state coat of arms on the Arkansas building at the Centennial Exposition was brought from Philadelphia and placed on the Central pediment fronting Markham Street. By the act of March 31, 1885, the Legislature appropriated $30,000 "for the extension of the main or center building, in such

manner and of such dimensions, as to convert the present senate chamber into a representative hall and to provide for offices or committee rooms in the lower story thereof."

The act also provided that the work should be done under the supervision of the secretary of state and two competent persons appointed by the governor. Governor Eagle appointed Paul M. Cobbs, land commissioner, and J. W. Callaway, clerk of the Chancery Court, to coöperate with E. B. Moore, secretary of state, in making the alterations. Subsequently an additional appropriation of $5,000 was made for the work, the $30,000 being found insufficient.

AS A WAR MEMORIAL

When the new capitol building was commenced various proposals were made for the disposition of the old state house. Some of these proposals favored its use as an educational institution, some wanted it converted into a museum, and others advocated its sale. In 1913 a bill was introduced in the Legislature providing for the sale of the building, for not less than $350,000, and that the money be turned into the general fund of the state. This proposition met with vigorous objections from organizations and individual citizens from all parts of the state. The Arkansas Federation of Women's Clubs was particularly active in the effort to save the old building as a historic relic. The advocates of the bill asserted that much of the opposition was based on a "maudlin sentiment," but that "maudlin sentiment" prevailed and the bill was defeated.

On March 24, 1921, Governor McRae approved a bill providing that the old state house, "from and after the date this act goes into effect, shall be known and designated as the Arkansas State War Memorial, the title to the property remaining in the State of Arkansas."

The act provides for the appointment of a board of seven trustees, which shall have full control, power to make repairs, etc., and an appropriation of $10,000 was made for the benefit and maintenance of the building. As a memorial, the old state house is dedicated to "the use of the American Legion, Department of Arkansas, and all statewide patriotic organizations now existing or hereafter existing within the state, subject to the approval and terms of the board of trustees."

THE NEW CAPITOL

On April 17, 1899, Governor Jones approved an act of the Legislature providing for the erection of a new state capitol building, on the grounds then occupied by the state penitentiary, and appropriating $1,000,000 therefor. The act provided for the appointment by the governor of six commissioners—one from each congressional district—to be known as the 'State Capitol Commission." Governor Jones appointed J. M. Levesque, of Cross County; Charles Gordon, of Jefferson; A. H. Carrigan of Hempstead; George W. Murphy, of Pulaski; George W. Donaghey, of Faulkner, and Robert M. Hancock, of Baxter.

This board met and organized on May 10, 1899. The plans submitted by George R. Mann were selected and the contract for the construction was awarded to Caldwell & Drake, of Columbus, Ohio. A report of this commission at the

close of the year 1900 shows that the foundation of the building was completed. Mr. Murphy was elected attorney-general in 1900 and resigned from the commission. At a meeting on December 18, 1900, Governor Jones announced that he had appointed Thomas M. Mehaffy to the vacancy.

Governor Davis was opposed to the location of the new capitol and during the six years he was in office the work of construction proceeded slowly. Owing to the illness of Governor Little, who came into office in January, 1907, not much progress was made during his term. In the primary campaign of 1908 George W. Donaghey, a member of the commission, made his race for governor on the issue that the immediate completion of the capitol was of paramount importance. He was nominated and elected, and as soon as he was inaugurated set to work to carry out his ideas. Perhaps no better history of the new capitol from this time until its completion can be found than that contained in Governor Donaghey's message to the General Assembly of 1911, in which he says:

"The General Assembly of 1909 enacted a statute for the partial completion of the state capitol. A commission was created by said law, to be composed of the governor and four citizens, who were charged with the duty of carrying out the will of the Legislature. In conformity with this law, I appointed John I. Moore, of Helena; R. F. Foster, of Rison; H. L. Remmel and C. L. Thompson, of Little Rock, as commissioners. All of them qualified promptly as the law requires, and immediately entered on the discharge of their duties. * * * As to the rapidity with which the work has been done, the efficiency of workmanship and the artistic treatment of the finished part, the structure as it now stands must speak for itself.

"After the organization of the commission we endeavored to secure the services of the best architect available. Many of our citizens had seen the finished capitol at St. Paul, Minnesota, and it seemed to be the opinion of all that among all of the prominent buildings known throughout the country to our people this building at St. Paul is the most beautiful. Upon inquiry we found that Mr. Cass Gilbert, now of New York, had planned and supervised Minnesota's capitol; that his work throughout the country was well known to the American people, and after some negotiations we elected him as architect. * * * After a thorough personal examination, assisted by a corps of his own engineers, of the physical condition of the capitol building at the time of the commencement of the work by this commission, it was decided that all of the interior construction, together with the floor construction, should be torn out and replaced with better workmanship and material. This was accomplished by wrecking and carting away all of the cinder concrete in all of the floors, columns, beams, roof and other places. All of the defective or light casing and much weak steel work was torn out and thrown into the junk pile and disposed of as such. Where steel beams, columns or other metallic fabrics were in place, but inadequate for the purpose intended, though they could be employed in other places requiring less carrying capacity, they were shifted accordingly and made to take the places for which they were adequate. By this shifting process and by acquiring proper and adequate structural material to take the place of inadequate structural material, a new and better system of construction was obtained throughout the building."

Governor Donaghey then refers to the suit brought against the commission

STATE CAPITOL, CORNERSTONE LAID NOVEMBER 27, 1900

by the contractors, Caldwell & Drake, in the Chancery Court and the delay resulting until the case should be decided by the Supreme Court, after which he continues:

"In wrecking the old construction and replacing it with new, it was found that the appropriation made by the Legislature covered only the construction and reconstruction above the basement floor. * * * The floor which is called the basement floor, and the story below it, the sub-basement, together with all the columns, girders, beams, reinforcements, concrete, etc., were all found defective and condemned by the architect for that reason. Yet that part of the building had to serve as the foundation for all the construction required to be placed above. We were therefore compelled to take out everything down to the cellar floor or sub-basement floor, and replace, reinforce and rebuild this work until absolutely safety was secured. In the construction of this particular part of the work, we had to do a great deal of entirely new work, which had never been planned at all; all of which called for an increased expenditure of approximately $31,500, which had not been provided for by the law under which we have been directed to proceed.

"The steps leading to the front or main entrance of the building, being fundamentally below this basement floor line and not considered in the appropriation, were deemed by us necessary to the immediate utility of the building and were therefore ordered by us at an approximate cost of $21,500. It was found also that the plans upon which the Caldwell & Drake contract was predicated called for partitions of such flimsy fabrication that they were pronounced inadequate and removed (most of them having already fallen down), and that said specifications required no furring of the exterior walls, which is highly necessary to prevent decay from dampness. Therefore, the commission had said partitions replaced with more durable masonry and had the furring of the walls done at a total cost of approximately $31,000. Heavy masonry columns and walls were found necessary in other places, which were not included in the Caldwell & Drake contract, and were built at a cost of $7,100.

"Architect Gilbert also found that by raising the roof at the outside line about three feet higher in certain parts of the building, a large amount of space, otherwise useless, could be utilized for rooms and he was authorized to make the change. This gives to the building twenty large committee rooms in the top story, as useful and essential to its proper use as any rooms in it. The increased cost of this work was approximately the sum of $13,000.

"The sum of $175,000 was appropriated for tearing out and replacing the defective work. The commission completed this item for about $50,000 less than the amount appropriated, but the surplus was more than consumed in other contingencies as hereinbefore described. After tearing out and replacing defective work and roofing the building, the commission advertised for bids and let a contract to William Miller & Sons Company, of Pittsburgh, Pennsylvania, for the sum of $535,718.04, for the completion of the work set forth in this contract."

The new contractors went to work promptly and the Gazette of December 25, 1910, said: "The capitol commission's Christmas gift to the State of Arkansas this year will be the magnificent new state capitol, that stands like the Parthenon of old on the eminence of the western extremity of Fifth Street.

The writer was present when the first spade of dirt was thrown, ten years ago, on which occasion a number of eloquent speeches were made commending the great undertaking of the state. * * * Those ten years have marked a strange ebb and flow of politics in this state, at which time the building has stood like an endangered ship in the storm, but where the first spade of dirt was thrown ten years ago stands the creation that was then but a castle in the air. It cost more than was anticipated, in money, time, trouble and hard feeling, but it is now an accomplished fact, and there should be no more state capitol sentiment in Arkansas history for some years to come. * * * Many men have worked for the completion of the new state capitol building, but among those who have labored intelligently, none has devoted more time and trouble to the enterprise than his excellency, Governor George W. Donaghey, a practical builder and a man of the people. No man in Arkansas could have been better fitted for the position he was called to assume than Governor Donaghey, for while any strong, intellectual man might hope to fulfill the duties of governor of this state, Governor Donaghey was a renowned contractor as well, and the desire to give the people of Arkansas a new state capitol that would stand the ravages of time lay next to his heart. He will be the first governor to establish office in the new building."

The Legislature of 1911 held its session in the new capitol and a few of the state offices removed there in that year. But the building was not fully completed and occupied until the summer of 1914. The total cost of the structure was nearly two and a half million dollars. The Legislature of 1921 appropriated $30,000 for a heating plant and $37,500 for the maintenance of the capitol for the biennial period. The building is constructed of the stone known as "Batesville marble," with a little Indiana oolitic limestone, commonly called "Bedford stone," and the interior is finished with marble from Alabama.

CHAPTER XXII

PENAL AND CHARITABLE INSTITUTIONS

DUTY OF THE STATE—THE PENITENTIARY—THE LEASE SYSTEM—THE CUMMINS FARM—THE TUCKER FARM—STATE FARM FOR WOMEN—SCHOOL FOR THE BLIND—DEAF MUTE INSTITUTE—HOSPITAL FOR NERVOUS DISEASES—CONFEDERATE SOLDIERS' HOME—BOYS' INDUSTRIAL SCHOOL—GIRLS' INDUSTRIAL SCHOOL—TUBERCULOSIS SANITARIUM—HOSPITAL DAIRY FARM—VALUATION—INSTITUTES IN PROSPECT.

Every civilized community has certain obligations resting upon it, certain duties to perform, in protecting the life and property of its citizens from wanton violators of law, and in caring for the weak and unfortunate who are unable to care for themselves. To discharge these obligations and duties, penal and charitable institutions are established and supported at the public expense. In some of the territories—before they became states—Congress made grants of land or appropriations of money, or set apart the proceeds of the internal revenue collected therein, to the amount of $40,000, for the purpose of establishing territorial prisons.

Arkansas received no such assistance, however, and at the time the state was admitted into the Union there was not within its borders a penal or charitable institution belonging to the state. During the territorial period there was no serious demand for such institutions. True, there were outlaws in those days, but the county jails were sufficient for their imprisonment when convicted. The Arkansas pioneers, generally speaking, were of a healthy, hardy race, who had little need for hospitals of any kind. If one fell ill, the neighbors were always willing to lend a hand, and the mentally or physically defective were too few in numbers to justify a heavy expenditure for asylums for their care and comfort. But with the admission to statehood came a rapid increase in population and it was not many years until the need for such institutions made itself felt. The first public institution established by law was

THE PENITENTIARY

On December 13, 1838, Gov. James S. Conway approved an act of the Legislature making an appropriation of $20,000 for a penitentiary, to be located at some point convenient to the seat of government. Commissioners were appointed to select a site. On July 24, 1839, they reported that they had purchased from P. T. Crutchfield 92.41 acres, "about a mile and a quarter west of Little Rock, for $20 per acre." Work was commenced soon after the purchase of the location, but the prison was not completed until 1842.

Four years after the penitentiary was first occupied as a prison, the main building was destroyed by fire during a revolt of a few of the convicts bent on

making their escape. Authorities appear to be confused as to the date of this fire. Pope, in his "Early Days in Arkansas," says it occurred on July 4, 1846, after the warden "had given the convicts a special dinner and holiday, in commemoration of the birthday of American Independence." Hempstead's "History of Arkansas" says the building was burned on August 5, 1846. As a matter of fact both these dates are wrong. The Democrat of July 31, 1846, refers to the fire of "yesterday," and in the issue of August 7, 1846, says:

"The main building of the penitentiary was destroyed by fire on Thursday, the 30th of July. * * * The most immediate cause of the revolt and destruction of the building was the recent and entire change in the agents and keepers of the prison, by which raw and inexperienced men were placed in charge of the prisoners. We understand that only five of the convicts (including Morgan, who was killed by another convict on the side of the keepers), were actively concerned in the revolt, and that some ten or twelve of the convicts declared themselves ready to aid the keepers, and several of them did actually render efficient service."

Morgan, the convict who was killed, was the instigator of the revolt. In November, 1846, James and Benjamin Davidson, and three convicts named Eakin, Kennedy and Van Horn, were tried before Judge Field for incendiarism and complicity in the insurrection. Kennedy was acquitted and the others received life sentences. On December 23, 1846, Governor Drew approved an act providing for the rebuilding of the penitentiary, at a cost not exceeding $10,000, and the contract was let to George Brodie for that amount. The new building was occupied in 1849.

The Legislature of 1850 created a board of penitentiary inspectors, composed of the secretary of state, auditor and treasurer, and directed this board to have walls of stone built around the cellhouse, work shops and keeper's residence, and the buildings roofed with slate. Bids for the work were opened on March 3, 1851, and the contract was awarded to John Robins, of Little Rock, for $50,000. On January 26, 1855, John Robins and Alexander George entered into a contract with the state to make certain designated repairs and erect a brick workshop, 40 by 150 feet, two stories high, for $18,000. This work was completed in September, 1856, together with the walls ordered in 1850, giving Arkansas one of the best penitentiaries in the South.

During the early years of the Civil war, Federal prisoners were confined in this penitentiary and after Little Rock was occupied by the Union forces commanded by General Steele in September, 1863, it was converted into a place for the confinement of Confederate prisoners. While thus used, little attention was given to keeping the buildings in good repair and at the close of reconstruction era large appropriations were necessary to place the institution in its former condition.

When the Legislature provided for the erection of the new capitol building on the site of the penitentiary, the prison was removed to a new location southwest of the City of Little Rock. The Gazette of June 20, 1910, said:

"It is the intention of the penitentiary board to abandon the old penitentiary, the walls and buildings of which will be demolished within the next three weeks. The improvements at the new penitentiary southwest of the city will soon be completed and the prison ready for occupancy by all convicts now

ARKANSAS STATE PENITENTIARY

On site of the present state capitol, used during the Civil war as a Federal Prison

confined by the old walls. The removal of the prisoners from the old walls will not be attempted until everything is in readiness for their care, including the completion of the sewer system, which is now being constructed and work upon which is proceeding rapidly."

THE LEASE SYSTEM

By an act of the Legislature, approved by Governor Baxter on April 15, 1873, the penitentiary commissioners were authorized to lease to the most responsible bidder the convicts under their charge. On May 7, 1873, J. M. Peck became the lessee for a term of ten years, on condition that he would defray all expenses of keeping said convicts. A few months later Zeb Ward became a partner of Mr. Peck, and in March, 1875, he became the sole lessee. Early in the fall of 1875 a Little Rock newspaper published an article alleging that the prisoners were ill treated. This led to an investigation in October, 1875, when it was disclosed that the terms of the lease had been violated in numerous instances, that the convicts had been poorly fed at times, and that excessive punishment had been inflicted in many cases for slight infraction of the rules. In his message to the Legislature in November, 1875, Governor Garland called attention to the results of the investigation and recommended that some method be devised for keeping the prisoners within the walls of the penitentiary. But the Legislature was either unable or unwilling to change the system.

Ward's lease expired on May 7, 1883. The firm of Townsend & Fitzpatrick then acquired a lease for ten years, agreeing to bear all expenses of maintaining the convicts and pay the state $26,000 per annum. The new lessees then incorporated the Arkansas Industrial Company and took charge of the prisoners, who were hired out to planters, contractors, coal mining companies, etc. Says Shinn:

"The general management of the company was humane, but it was not able to control its numerous deputies and guards. In the year 1887 the evil culminated in a great scandal in the coal mines at Coal Hill. Prisoners were whipped unmercifully, worked at unlawful hours and brutally treated. An investigation revealed a course of treatment that was a disgrace to our civilization, and the convicts were removed to Little Rock. The public conscience was awakened. Grand juries began to indict and the courts to punish the wrongdoers. The Legislature created the office of prison inspector in 1889, and at the expiration of the lease it was not renewed. The state has since then taken charge of the convicts, and, while hard labor is still required, the lease system with its evils has been abolished."

The Townsend & Fitzpatrick lease expired in 1893 and the Legislature of that year directed the penitentiary board to take charge of the convicts and employ them either on the "state account system" or the "contract system": that is, when the state had not sufficient work to keep them employed, the convicts might be hired out under contract, the state retaining control. It was the intention, under the "state account system," to use the convicts upon the state lands, clearing ground, cultivating it, quarrying stone, cutting timber, etc., but no appropriation was made to provide for their safe-keeping, and the board was unable to carry out the plan. Thus, while the lease system was theoretically

abolished, the convicts were hired out by the board, the state holding control. Subsequently a state farm was purchased to provide employment for all the convicts, but even then there was at times a surplus of convict labor that the state could not utilize to advantage, and the prisoners were hired out. The biennial report of the state auditor for 1911-12 says:

"The policy of hiring out the surplus convicts, selling their labor when not engaged upon the farm, has been continued, the existing contract for this labor having until January next to run. It has not been, and is not now, the desire of the board to continue this system, and, if profitable employment for all the convicts could have been found without resorting to the contract system, the present board would gladly have taken advantage of it. But it has not been practicable to work all the convicts on the farm, and, as the state cannot afford to maintain them in idleness, it has appeared necessary to sell the surplus labor for what it would bring. The amount earned for the state by this labor during the two years ending on September 30, 1912, is $163,526.30, all of which has been paid by the contractors."

In the spring of 1914 a movement was started to establish a library in the penitentiary, "to send the prisoners out in the world better and more desirable citizens." A large number of books were donated, money was contributed, etc., by citizens in sympathy with the project, and the library was formally opened on August 2, 1914.

THE CUMMINS FARM

By the act of June 4, 1897, the penitentiary board was authorized "to purchase or cause to be purchased, with such funds as may be at its disposal, not otherwise appropriated, any lands, buildings, machinery, livestock and tools necessary for the use, preservation and operation of the penitentiary, to the end that the largest number of convicts that can be comfortably employed may be made self-supporting," etc.

At that time the board was composed of the governor, secretary of state, auditor, attorney-general and commissioner of mines, manufactures and agriculture. After looking at a number of farms, the majority of the board decided in favor of the Cummins and Maple Grove plantations, in Lincoln County. The two plantations (now generally referred to as the Cummins Farm) embrace over ten thousand acres and the purchase price was $140,000. Immediately after the purchase, a stockade and buildings were erected and a large number of the convicts were removed to the farm.

THE TUCKER FARM

With the establishment of the convict farm in Lincoln County, it was thought that all necessity for hiring out the convicts was at an end. But the increase in population brought a corresponding increase in the number of violators of law, and by 1910 both the penitentiary and the convict farm were overcrowded. Then the old system of hiring out the prisoners was resorted to as the most convenient method of caring for the surplus prison population, as shown by the report of the state auditor above quoted.

A short time before he went out of office, Governor Donaghey pardoned over three hundred convicts, giving as his reason that he wanted to abolish the lease system, or the custom of hiring out the convicts. This raised a storm of criticism and protest, but it also had a salutary effect upon the prison conditions of the state. The Legislature of 1913 created a board of three penitentiary commissioners, two of whom were required to be actual farmers, to be appointed by the governor, to give their entire time to the affairs of the penitentiary, and each commissioner was to receive a salary of $3,000 per annum. The board was also given power "to purchase and equip a farm in some section of the state reasonably free from malaria and in a locality healthful for white convicts, said farm not to exceed 5,000 acres," etc.

In January, 1916, the board purchased from D. D. Niven 3,000 acres near the little Village of Tucker, Jefferson County. Of this tract 2,000 acres were under cultivation. Negotiations were then commenced for the purchase of 1,340 acres adjoining, belonging to the Missouri Life Insurance Company, but an injunction suit delayed matters, and it was not until August 21, 1916, that the board concluded the purchase. At the same time eighty acres were purchased from the J. W. Tucker estate. Mr. Niven received $150,000 for his land, the Missouri Life Insurance Company, $52,000, and the Tucker estate, $4,800. This farm, known as the "Tucker Farm," is occupied exclusively by white convicts, the "Cummins Farm" being turned over to colored prisoners.

STATE FARM FOR WOMEN

On March 28, 1919, Governor Brough approved an act of the Legislature to establish "a state reformatory for women, to be known as the 'Arkansas State Farm for Women.'" The act provided for the appointment by the governor of nine directors, five of whom should be women, and these directors were authorized to purchase a farm of not less than 120 acres, to "include woodland and tillable pasture, with a natural water supply, and be located reasonably near some railroad." The act appropriated $5,500 for salaries and $4,500 for maintenance.

Pursuant to the provisions of this act, the directors acquired 185 acres about two and a half miles from Jacksonville, in the northeastern part of Pulaski County and convenient to the main line of the Missouri Pacific Railroad. The purchase was made in 1919 and the institution was opened early the following year. With the penitentiary proper, the Cummins and Tucker farms and the State Farm for Women, the State of Arkansas is well provided with facilities for caring for the convict population.

SCHOOL FOR THE BLIND

Next to the penitentiary as established in 1838, the School for the Blind is the oldest of the state's institutions. The first effort toward the education of the blind in Arkansas was made in 1850 by Rev. James Champlain, a blind Methodist minister, who opened a school at Clarksville, Johnson County. His pupils numbered only five, and, as he failed to receive the support and encouragement he anticipated, the school was closed after about five months.

In 1858 a Mr. Haucke, a blind Baptist preacher, visited Arkadelphia, where he interested a number of the charitably inclined citizens in a movement to establish a school for the blind. In October of that year an association was formed for the purpose, and the name of "The Arkansas Institute for the Education of the Blind" was adopted. The school was opened in February, 1859, with Mr. Haucke in charge and seven pupils in attendance. On February 4, 1859, the institution was incorporated and Governor Conway appointed the following board of trustees: T. E. Garrett, Harris Flanagin, T. A. Heard, J. B. McDaniel, J. W. Smith, H. B. Stewart, S. Stephenson, W. A. Trigg and J. L. Witherspoon.

Mr. Haucke resigned his position in the summer of 1859 and Otis Patten was selected as his successor. Mr. Patten and Isaac Lawrence spent some time in traveling over the state, trying to induce the parents of blind children to send them to the school. Through their efforts the attendance increased and the institution prospered until the fall of 1863, when, owing to conditions growing out of the Civil war, it was closed. The Legislature of 1866-67 appropriated $8,000 for buildings, $1,200 for salary of a superintendent, and $200 a year for the support of each pupil. With this encouragement, the school was reopened in March, 1867.

On July 22, 1868, Governor Clayton approved an act for the removal of the school to Little Rock. It was closed at Arkadelphia about the middle of September and opened at Little Rock in the second week in October, in "Rose Cottage," with Liberty Bartlett, R. L. Dodge and C. C. Farrelly as trustees. A tract of about eight acres, on the southern border of the city, was purchased, a brick building and several temporary frame buildings were erected, and the institution was removed to its quarters in 1869. By the act of March 15, 1879, the name was changed to the "Arkansas School for the Blind." In 1885 the Legislature appropriated $60,000 for additional buildings. The first brick structure was then converted into a workshop, where the boys were taught broom and brush making, mattress making, chair caning, etc. The girls were taught sewing, both by hand and machine, bead work and some other occupations. Other buildings have been added as occasion demanded, and typewriting has been added to the course of study. A dictaphone was installed in 1916. The superintendent dictates his letters to this instrument and they are then typewritten by the students.

DEAF MUTE INSTITUTE

The Gazette and Democrat of March 21, 1851, contained the following announcement: "The trustees of the Clarksville Institute have made arrangements to have a class of deaf mutes taught. The school for mutes will open on the first of May. Tuition gratis. Boarding can be had very reasonable. Only a limited number of pupils (6 or 8) will be taken. Persons wishing to send may know more by addressing the 'Trustees of Clarksville Institute, Johnson County, Ark.' Application must be made soon."

This was the first attempt to establish a school for the education of deaf mutes in Arkansas. The Clarksville Institute found the undertaking a losing proposition and after a few months the school was suspended. In 1860 a deaf

mute school was organized at Fort Smith, on a broader basis than the one at Clarksville. About the time it was placed in good working condition the war came on and, like many similar institutions in the South, it was crushed out of existence.

Nothing further in this direction was attempted until July 10, 1867, when Joseph Mount, himself a deaf mute, opened a school in Little Rock. It was a private institution, though the city contributed to its support. By the act of July 17, 1868, this school was incorporated as "The Arkansas Deaf Mute Institute" and permanently located at Little Rock. The first board of trustees was composed of Albert W. Bishop, Henry Page, John Wassell, George R. Weeks and Robert J. T. White. Mr. Wassell was elected president of the board In his first report, dated November 21, 1868, he says:

"On the 14th day of September, A. D. 1868, the institute was opened for the reception of pupils, two, a young man and a young woman, being in attendance, who had hitherto studied in a private school supported by the City of Little Rock. The school was kept in a private boarding house until October 6th, when it was removed to a more commodious building, where they congregate as in a family. The change from boarding to housekeeping involved the necessity of buying everything necessary for a new enterprise, although the utmost economy was observed in expenditures. On October 20th two other deaf mutes, a boy and a girl, were admitted as state pupils in the manner provided by law."

The report also gives the amount of expenses incurred from September 1 to November 21, 1868, as $809.30, and states that Joseph Mount had been employed as principal at a salary of $100 per month and his board. He resigned on February 28, 1869, and for about four months the school was without a teacher. Then Marquis L. Brock, an instructor in the Illinois Deaf Mute School, came to Little Rock and remained until the latter part of February, 1870. In April, E. P. Caruthers took charge and remained at the head of the institution for several years. After many ups and downs, the institute was located upon its present site, in the western part of Little Rock and on an eminence overlooking the Arkansas River. In a circular announcing the opening of the fall term on October 4, 1893, the superintendent, Frank B. Yates, said:

"This place has undergone much improvement during the past summer, and among other things done a large building has been erected, enabling the school to receive about one hundred more pupils than it could possibly take last year. This is a free school to the poor and absolutely free, in every respect, to those in indigent circumstances. So free is it that there is positively no excuse, however poor the father of a deaf child may be, for his keeping that child at home and allowing him to grow up in igorance. The deaf child is entitled to educational privileges equal to those of his hearing brother, and the state has generously recognized this fact. It has provided this noble institution of learning for this afflicted class, wherein they can be transformed from the dark night of ignorance into the bright sunlight of Christian intelligence. The doors of this noble charity are now wide open for the admission of 100 mutes never before in school."

These words of Mr. Yates, penned more than a quarter of a century ago,

are equally true in 1921, except that it should be added the institution has been vastly improved by the erection of new buildings, the purchase of new equipment, the employment of additional teachers, etc., until Arkansas' Deaf Mute Institute compares favorable with those of other states.

HOSPITAL FOR NERVOUS DISEASES

This institution, commonly called the Insane Asylum, dates its beginning from April 19, 1873, when Governor Baxter approved an act of the Legislature providing for the establishment of the "Arkansas State Lunatic Asylum" at Little Rock. By the provisions of this act the governor was authorized to appoint five trustees, who should "manage and direct the affairs of the institution, appoint a superintendent," etc., and an appropriation of "not exceeding $50,000" was made for the purchase or erection of the necessary buildings.

At that time the state was agitated "from center to circumference" by the unsettled political conditions, which culminated in the Brooks-Baxter war the next year. Consequently, the first board of trustees was unable to make much progress toward the establishment of the institution, except to purchase a site. In his last message to the Legislature, Governor Garland urged the importance of establishing the asylum without delay. "No class of suffering humanity," said he, "has so large a claim upon the community as this; and no charitable institution is as much needed as one for the proper treatment of these persons."

Governor Miller also discussed the necessity for such an institution in his messages of 1877 and 1879. The Legislature of the latter year passed a bill appropriating $40,000 for the establishment of the asylum and directing that it be located at Snow Springs, an out-of-the-way place, some four or five miles from the City of Hot Springs. This bill was vetoed by Governor Miller, on the grounds that the appropriation was insufficient and the location was undesirable. He pointed out that the trustees had estimated that $150,000 would be necessary for the erection of buildings and equipment of an asylum; that the bill did not provide for issuing bonds or levying a tax for the purpose of raising the amount of the appropriation; that payments would have to be made in scrip, then at a discount of 20 per cent, so that only $32,000 would be realized from the appropriation of $40,000. "The proposed location," said he, "is in a wilderness, remote from indispensable conveniences. No price is fixed in the bill for the land, and the state has already expended $16,000 in payment for other land for the same purpose."

The Legislature was not able to pass the measure over the veto, and there the matter rested until February 8, 1881, when Governor Churchill approved a bill providing for a levy of a one-mill tax on all the property of the state for two years, and the appropriation of $150,000 "for the purpose of building, organizing, furnishing and operating an insane asylum at or near Little Rock." With a portion of the appropriation immediately available, the trustees went to work and the institution was opened on March 1, 1883, with Dr. C. C. Forbes as superintendent. P. O. Hooper was then president of the board. The other trustees were: John G. Fletcher, J. M. Hudson, John W. Stayton and Thomas R. Welch. During the year 1883 the grounds were inclosed with "good, substantial fences," and in the first annual report, dated January 1, 1884, Doctor

Forbes gave the number of inmates as 247. Since that time liberal appropriations have been made by the Legislature, new buildings erected and better facilities provided.

Several good physicians have occupied the office of superintendent, but perhaps none accomplished more for the institution than Dr. J. L. Greene. In the summer of 1911 he announced that arrangements had been made for the care of 300 patients more than had ever been cared for in the asylum. Commenting upon this, the Gazette of September 16, 1912, said: "For years it was a matter for public regret that the lack of accommodations for all the insane of Arkansas at the State Hospital for Nervous Diseases made necessary the keeping of some such persons in county jails. But with the increased accommodations that have been provided by the good management of Dr. J. L. Greene, there is now no insane person in any jail in the state so far as is known. * * * Arkansas is not only caring for all of its insane, but is making splendid progress in restoring to usefulness those persons who can be cured by proper medical treatment."

Owing to a controversy with the old Board of Charities, Doctor Greene resigned late in the year 1914. Governor Hays then removed the board and appointed a new one, which elected Dr. Frank B. Young, who remained in charge only about a year. Dr. E. P. Bledsoe was then appointed, but in June, 1916, he got into a dispute with the Board of Control over the matter of appointments and was removed. An effort was then made to have Doctor Greene return to the institution as superintendent, but he declined. The present superintendent (1921) is Dr. C. C. Kirk.

CONFEDERATE SOLDIERS' HOME

About twenty-five years after the close of the war, when those who wore the gray were growing fewer in number and infirm in body, some philanthropic citizens saw the need of some sort of an asylum for the veterans. Foremost in the work of establishing the institution were John D. Adams, W. B. Campbell, John G. Fletcher, R. A. Little and Thomas W. Steele, all of whom subscribed to a fund to establish the home. Early in the year 1890 these men reported that $8,500 had been received. That summer a tract of some sixty acres of ground, about six miles southeast of Little Rock, was purchased, the old residence on the place was remodeled and the home was formally opened on December 1, 1890.

On April 1, 1891, Governor Eagle approved an act authorizing the payment of pensions to disabled Confederate soldiers and their widows and the levying of a tax to raise revenue therefor. Section 15 of this act provided: "That ten thousand dollars of the fund thus raised shall be and hereby is appropriated annually for the erection and maintenance of a Confederate Home as is now established by the Ex-Confederate Association of Arkansas, which sum shall be paid on the order of the directors of said association. * * * Provided, that no inmate of the said Confederate Home shall be entitled to draw a pension as provided for in this act; Provided further, that no part of the ten thousand dollars here as annually appropriated, shall be used until the said Ex-Confederate Association of Arkansas shall have conveyed to said state

the lands belonging to said Ex-Confederate Association with a good and sufficient title."

Thus the home became one of the charitable institutions of the state. With the first annual appropriation a new building was erected. It was completed in 1892. In the summer of 1911 the inmates were moved into tents while the entire home was remodeled. The interior walls were replastered and finished in light colors; new plumbing, including sanitary washrooms and bathrooms, was installed; also a modern power plant, supplying steam heat, hot and cold water, electric light and power to run a model laundry. The cost of the improvements was about $10,000.

For several years after the home was established the superintendent was a Confederate veteran. Then Dr. H. C. Stinson took charge and served for some time. On May 10, 1913, C. P. Newton was appointed. There were some misgivings that his youth might prove a handicap, but before a year had passed it was demonstrated that he was the right man for the place. In January, 1915, the institution housed more inmates than ever before in its history, among whom were 130 women, wives and widows of old soldiers. Mr. Newton resigned in 1918 to become a candidate for the Legislature, and in January, 1919, was elected speaker of the House. Rufus G. McDaniel, former state treasurer, was appointed superintendent upon the resignation of Mr. Newton. He was succeeded by Dr. George K. Mason, who served but a short time, when Mr. McDaniel was again appointed. Largely through the influence of Mr. Newton, the Legislature of 1919 appropriated $40,000 to cover a deficit in the funds of the home, and $115,000 for maintenance and repairs.

BOYS' INDUSTRIAL SCHOOL

On April 25, 1905, Governor Davis approved an act providing for the establishment of a "State Reform School, for the discipline, education, employment and reformation of convicts under the age of eighteen years." The act also provided that white and colored inmates should be kept in separate quarters, and that the female convicts should be kept to themselves. As thus established, the institution was for both sexes and was placed under the management of the penitentiary board. An appropriation of $30,000 was made for the purchase of a site and the erection of buildings, and the board was authorized to employ a superintendent, who should receive an annual salary of $1,500. A site a few miles west of Little Rock was purchased, a three-story brick building erected thereon, and the school was opened in the fall of 1906.

Within two years from the opening considerable dissatisfaction was manifested over the location. The Gazette of August 23, 1908, said: "The Reform School is located about four miles from the end of the Highland Park car line. It consists of about two hundred acres of land, which is said to be of about as poor a variety as can be found in Arkansas. That such an institution was located on such unfertile ground is deplored by nearly everyone who visits the institution and who can imagine what could be done by such a school of boys upon rich soil. When the school was founded it was built in the very heart of a dense growth of timber. A boy who stepped twenty feet away from the house was hidden in the brush. Now the timber has been

cleared away for a distance of at least five hundred yards from all sides of the main building. Since the school was started the boys have been engaged in clearing away the woods and the result, from a mere handful of youths, is considered remarkable."

In 1915 the probation officers of Jefferson and Pulaski counties prepared a bill for the removal of the school to a good farm. This bill was approved by the County Judges Association and the State Federation of Labor. It was passed by the Legislature, but was vetoed by Governor Hays on the grounds of economy. At the next session of the General Assembly, a similar bill was passed and was approved by Governor Brough. Up to this time the institution had been under the control of the penitentiary board and was regarded as a penal institution. The act of 1917 changed the name to the "Boys Industrial School of the State of Arkansas" and provided for a Board of Managers, composed of three men and two women. The board appointed by Governor Brough was as follows: Judge John W. Wade, of Little Rock; Miss Julia Houston, of Pine Bluff; Mrs. A. B. Stoops, of Stuttgart; W. H. Laney, of Clarendon, and F. T. Reynolds, of Fort Smith. Soon after being appointed, the members of the board met and organized by electing Judge Wade chairman, and Miss Houston, secretary.

The first duty devolving upon the new managers was to select and acquire a suitable site for the school. How this was accomplished is thus told by Governor Brough in his message of 1921:

"There is no institution in our state that gives greater promise of a wise correctional and educational administration than the Boys' Industrial School, located very desirably on 280 acres of land, 2½ miles from Pine Bluff. Formerly the State Reform School was supervised by the penitentiary board and later by the penitentiary commissioners. These boards had not the time for proper supervision, so the General Assembly of 1917 changed the Reform School to the Arkansas Boys' Industrial School, with an honorary Board of Managers. With this change, the old penal idea was largely eliminated and the correctional and educational ideal substituted. The act creating the Boys' Industrial School required the institution to be moved to a more desirable location, the old site near Little Rock being poor, dry and rocky. . After a thoroughgoing inspection by the Board of Managers, the superintendent, the governor and the state health officer, of the 160 acres of land donated by Captain Geisreiter, of Pine Bluff, this site was definitely determined upon as an ideal one from the standpoint of sanitation, agricultural development and industrial training. The Senate and House committees of the 1919 Legislature visited the site, approved it and appropriated $98,000 for new improvements to be placed upon it, in addition to a $35,000 appropriation for biennial contingent expense."

The announcement of the selection of the 160 acres donated by Sebastian Geisreiter and his wife was made by the secretary of the board on October 19, 1917. At the same time she announced that the citizens of Pine Bluff had raised a fund of $5,466 for the benefit of the school, of which $3,500 was to be applied to the purchase of eighty acres adjoining the Geisreiter tract. The act of 1917 appropriated for the school the sum of $31,200, only $5,000 of which could be used for the purchase of land and the erection of buildings. By the donation of 160 acres and the generosity of the people of Pine Bluff, a

large part of the $5,000 could be used for a building fund. Cottages were erected and a detachment of boys was set to work clearing the ground and putting it under cultivation. With the appropriation of $98,000 made by the Legislature of 1919, better and more modern buildings have been erected, and, while there is still room for improvement, the Boys' Industrial School is an institution of which the people of Arkansas may justly feel proud.

GIRLS' INDUSTRIAL SCHOOL

The first suggestion for a Girls' Industrial School came soon after the enactment of the Juvenile Court law in 1911, but no organized effort was made until 1914. Through the work in that year of Miss Erle Chambers and Miss Julia Houston, probation officers in Pulaski and Jefferson counties, respectively, the Legislature of 1915 passed an act providing for such an institution, but it was vetoed by Governor Hays. The Juvenile Court Board then started a campaign to raise funds for a school, which was opened in a building on the corner of Tenth and Louisiana streets (Little Rock), with four girls, under the charge of Mrs. Minnie Gosden as matron. Later a better building was secured at the corner of Tenth and Izard streets, but this was destroyed by fire on November 4, 1917.

By the act of 1917, providing for the removal of the Boys' Industrial School, an appropriation of $9,000 was made for a Girls' Industrial School—$3,000 for teachers, $5,000 for maintenance, and $1,000 for buildings. The building allowance was purposely made small, as it was intended that the old buildings of the State Reform School should be occupied. The Legislature of 1917 also authorized the governor to appoint a board of managers, consisting of three women and two men. Governor Brough appointed Mrs. C. L. Schafer, who was elected chairman; Mrs. M. B. Sanders, of Little Rock; Mrs. Jo Frauenthal, of Conway, Dr. Robert L. Smith, of Russellville, and Dr. A. C. Shipp, of Little Rock.

Circumstances combined to render it impracticable to use the buildings of the old Reform School, and in 1918 a campaign was started to raise $100,000 "for a Girls' Industrial School and Woman's Reformatory." The full amount was subscribed and $55,000 realized in actual cash. Congressman T. H. Caraway obtained an appropriation of $50,000 from the general government. In January, 1919, an ideal location of 200 acres in Saline County, only nineteen miles from the state capital, was purchased and the school was opened in the little dwelling already on the place. Miss Blanche Martin was appointed superintendent, and on April 13, 1919, a second cottage was completed and occupied. The Legislature of 1919 made an appropriation of $20,000 for salaries and maintenance. With the $105,000 raised by subscriptions and from the United States, the main building was commenced in October, 1919, and was occupied on October 2, 1920. It is 209 feet long and only one story high; contains living and sleeping rooms, sewing and school rooms, kitchen and dining room. In the basement are a 2,000-gallon pressure tank, the laundry, the heating plant and a Delco lighting system. The cost of the building was $45,000. Sixty acres of the farm were under cultivation at the time it was

purchased. An eight-acre orchard has been planted, milk is furnished by cows kept for the purpose, and some poultry is kept.

TUBERCULOSIS SANITARIUM

This institution was created by the act of May 31, 1909, which appropriated $50,000 for site and buildings and $30,000 for maintenance. The act also placed the control of the sanitarium in the hands of a board of trustees, to consist of six persons appointed by the governor, two of whom were to be practicing physicians. A site was selected on a ridge in the foothills of the Magazine Mountains, about four and a half miles southeast of Booneville, at an elevation of about one thousand feet above sea level.

From the beginning the sanitarium has received liberal support from the state. The Legislature of 1911 appropriated $60,000 for support, $15,000 for a hospital, $6,000 for additional houses for patients, $3,500 to improve the grounds and the water supply, and $500 for the construction of a road to the institution. Concerning the sanitarium, Governor Brough said in his message of 1921:

"This well equipped institution is located four miles from Booneville and covers 973 acres of land, on which there are an administration building, a hospital building and five large pavilions or cottages, twelve smaller cottages and a number of smaller buildings, valued at $217,000. During the biennial period from December 20, 1918, to December 20, 1920, 828 patients were received at this institution. Of these 828 patients, 171 were in the sanitarium on December 20, 1920. During this biennial period 121 patients were discharged with arrested cases; 277 were discharged with improved cases; 246 were discharged with unimproved cases, and 12 patients died."

The governor recommended appropriations for the improvements asked for by the management, and added: "The state could also well afford to make substantial appropriations for additional buildings, in order that the consumptives of Arkansas might know that there was a door of hope for them in their own state, instead of being compelled to go West at great expense and undergo the horrors of homesickness and death."

HOSPITAL DAIRY FARM

The Legislature of 1919 appropriated $75,000 for the purchase and equipment of a Hospital Dairy Farm, to be operated in connection with the Hospital for Nervous Diseases and furnish supplies to the other state institutions. It was stipulated that the farm should consist of "not more than five hundred acres." Before the close of the year a tract of 260 acres "more or less," situated near the Arkansas River and the St. Louis & Southwestern Railroad was purchased and the farm was placed in operation.

VALUATION

The following table shows the value of property owned by each of the state's penal and charitable institutions, as reported by the state comptroller:

INSTITUTION	REAL ESTATE	EQUIPMENT
Penitentiary (walls)	$ 100,000	$ 23,185
Cummins Farm	506,000	137,593
Tucker Farm	413,500	82,290
State Farm for Women	27,000	4,000
Hospital for Nervous Diseases	1,600,000	175,000
Deaf Mute Institute	435,000	42,500
School for the Blind	191,000	70,000
Confederate Soldiers' Home	192,250	21,500
Boys' Industrial School	131,200	8,800
Girls' Industrial School	67,000	4,500
Tuberculosis Sanitarium	177,000	40,000
Hospital Dairy Farm	173,400	34,500
Total	$4,013,350	$643,868

INSTITUTIONS IN PROSPECT

On February 10, 1917, Governor Brough approved an act providing for a "State General Hospital," to be managed by a board composed of the governor, attorney-general and three persons appointed by the governor. This board was authorized to sell certain lands (described in the act) belonging to the state and to use $200,000 of the fund thus acquired for the erection of buildings and purchase of hospital equipment.

The same session of the Legislature, by the act of March 6, 1917, took the preliminary steps for the establishment of the "Arkansas School for Feeble Minded," to be under the management of the General Hospital Board. Four thousand acres of unimproved state land were set apart to be sold and the proceeds applied to the erection of buildings, etc. Neither of these institutions has yet become a reality, but it is only a question of time until the lands appropriated to their use can be sold to advantage, and two more charitable concerns will be added to the above list.

PART IV

INDUSTRIAL

CHAPTER XXIII

AGRICULTURAL DEVELOPMENT

GENERAL CONDITIONS IN ARKANSAS—THE PLANTATION SYSTEM—THE PIONEER FARMER—RECLAIMING THE SWAMPS—LEVEE DISTRICTS—BUILDING THE LEVEES—DRAINAGE CANALS—FARM PRODUCTS—VALUES—HORTICULTURE—LIVESTOCK—PROFITABLE FARMING BUREAU—INDUSTRIAL EXPOSITIONS.

Successful farming requires three things: A fertile soil, sufficient rainfall and a season long enough for the crops to mature. All these essentials are found in Arkansas, where farming has always been the leading occupation of the people. The variations in topography, the character of the soils in different localities, the abundant rainfall and the general climatic conditions have all combined to make it possible for the Arkansas farmer to raise nearly all kinds of grains, fruits and vegetables with success. The state has millions of acres of rich bottom lands along the streams, broad prairies, rolling hill lands and rough mountainous districts—a more diversified surface than that of any other state in the Mississippi Valley. Even in the roughest parts of the state the soil in the valleys is fertile and farming can be carried on with profit.

THE PLANTATION SYSTEM

Time was when cotton was the one great agricultural product of Arkansas. It is still the leading product, but in recent years it has lost much of its early prestige. Notwithstanding the fact that the United States Department of Agriculture reports that Arkansas leads the Southern States in the diversification of crops, many people still believe that Arkansas is a "one-crop" state. This impression has gone abroad and is due no doubt in great measure to the system of soil cultivation that prevailed during the days prior to the Civil war. Then the river bottoms and the lowlands of Southern and Eastern Arkansas were given over to the large plantations, some of them consisting of several thousand acres, where cotton culture was carried on extensively, and where the labor was performed by negro slaves under the charge of an overseer. Each day's work was planned by the overseer the evening before. At sunrise he would ring the bell near his house, which was the signal for the slaves to assemble. They were then divided into small squads, to each of which was assigned an allotted task for the day. On many plantations the work of each squad was directed by a foreman, that is, an old negro who was known to be reliable, and whose duty it was to see that none shirked his allotted task.

Once fairly at work, someone was almost certain to start an old plantation melody. One by one the others would join in and their movements would keep

time with the music. Consequently, if the air was a lively one, more work would be accomplished in a given time than if it were of a solemn, dirge-like nature.

The planter's residence was usually a structure of stately proportions, standing some distance from the road and surrounded by shade trees. Nearly all these houses were of the same pattern. Through the center was a large hall, in which was the grand staircase, and on each side of the hall were large, high-ceilinged rooms, on both the first and second floors. Broad porches, or "galleries," as they were sometimes called, supported by huge columns, extended along the front and often along one or both ends of the house.

Back of the mansion was the home of the overseer, around which were grouped the cabins of the slaves, frequently numerous enough to form a small village. Connected with each cabin was a small patch of ground for a garden. Here each slave could raise vegetables for himself and family, though the main portion of his "rations" was issued to him weekly from his master's storehouse. The food, though plain, was generally both wholesome and plentiful. Few masters stinted their slaves, either as to the quality or quantity of the rations. They knew that an able-bodied field hand required a sufficient amount of food to keep him in good working condition, and that young negroes needed nourishing food to develop into able-bodied field hands. And the negroes, knowing they would be provided for, were, as a rule, happy and contented.

When the day's work was done and after supper was eaten, there came a brief period of festivity in the "quarters." Banjos and fiddles were brought out and for an hour or two the air resounded with music, laughter and the dance. But the tap of the bell brought an end to the amusement, lights were extinguished and all retired early to be in good condition for work on the morrow.

After the cotton was picked, ginned and taken to market, there came a period of inactivity on the plantation. For about three months the slaves did practically nothing except a few "chores." In this period came Christmas, which was always a joyous occasion on the plantation. Then the planter's sons and daughters were home from school for the holiday season, their young friends were invited in and it was a time for feasting and merry-making, in which the negroes were not neglected. Frequently planters whose estates lay near to each other would allow their slaves to gather at one place, where a Christmas tree would be set up for the pickaninnies, and the older slaves all received their presents. Then song and dance followed until a late hour and everybody, white and black alike, was happy.

The planter, in a majority of cases, saw that the lives of his slaves were well ordered. He made his own laws to a certain extent for the government of his plantation, held court to settle any dispute among his negroes, saw that they had the service of a physician when they were ill, and when one died he was given a decent burial. A writer who was familiar with conditions during the old plantation days says:

"Many planters did not consider 'crap-shooting' an illegal pastime, that being the popular African sport, nor would they tolerate the arrest of a negro on a charge of 'chicken-lifting.' They knew it was hardly reasonable to expect the average plantation negro to pass a hen-house on a dark night without being subdued and utterly vanquished by the passion for easing 'yaller legs' unosten-

fatiously off the roost. The planters were well advised of this particular weakness of the race, and one might almost say they sympathized with it, even when the chickens happened to be their own. Of course, they made a big to do over the matter and blustered and threatened, but in the end usually took no action at all."

But with the emancipation of the slaves, as a result of the Civil war, there came a great change. The plantation of the present day is purely a business concern. A few old persons can recall the feudal grandeur of the ante-bellum plantation, but with the passing of another generation the glamour of its romance, its generous hospitality, will be nothing more than a hallowed tradition.

THE PIONEER FARMER

Not all the state, however, was occupied by the cotton plantations. In the highlands of the northern and northwestern portions, neither the soil nor climate was adapted to successful cotton growing. Therefore, in those sections there were but few slaves, and the large plantation was the exception rather than the rule. Here the small farmer flourished. With his quarter-section—in many instances less—he raised most of the food supply for himself and his family. If he was opulent enough to own a slave or two, he might raise a little cotton for the market, but most of the farmers on the uplands depended chiefly upon their own labor and confined their efforts to the crops which would most readily supply their needs.

The implements used by these pioneer farmers were of the most primitive character. Often the only plow they possessed was a home-made affair. A hardwood sapling of proper size, with a fork of suitable angle, was selected. One prong of the fork was left about fifteen inches long and sharpened, the other prong being left longer to serve as the beam. The handles were attached near the crotch. Compared to the twentieth century gang-plow, it was a crude device, but it would loosen up the soil sufficiently to enable the farmer to raise a fair crop of corn, which was then the agricultural staple.

Some of the early farmers were prone to try experiments. In March, 1821, Henry Brooks published in the Gazette an account of his experience in the cultivation of silkworms. Eight years later (April 29, 1829), the Gazette reprinted a long article by Dr. Seth Millington, of St. Charles, Missouri, first published in the Missouri Republican, giving definite instructions as to the feeding and care of silkworms. Dr. John T. Cabeen, who owned a plantation on the Bayou Saline, determined to try silk culture. That year he allowed his worms to feed on the common mulberry, while he engaged in planting some of the white mulberry (morus alba), the best known food for the worms. In the early part of 1830 he sent specimens of his silk to the Gazette, but the hopes of the early silk growers were never realized, and after a few seasons the project was abandoned.

In 1829 Asa Hartfield, a farmer of Sevier County, raised sugar cane six feet, four inches in height. Experts pronounced it equal in quality to the Louisiana cane. Following Mr. Hartfield, other farmers tried the experiment. Optimistic persons predicted that Arkansas would in time become as great a sugar producing state as Louisiana. There is still some sugar cane grown in

the southern part of the state by farmers who make their own syrup, but sugar has never become a commercial product of Arkansas.

Except along the navigable streams, where steamboats made occasional trips, there was no incentive in early days to raise a surplus, because the farms were too far away from the markets. But with the building of railroads and the construction of better highways, the Arkansas farm has been brought into closer touch with the market centers of the country, and the farmer of today takes more pride in his work than did his grandfather, or perhaps his father.

RECLAIMING THE SWAMPS

The people of Arkansas were long in learning that the best soil in the state was to be found in the alluvial lands along the Mississippi, Arkansas, White, St. Francis and Ouachita rivers. But the annual floods of these rivers overflowed much of the valuable lands in these alluvial areas. The inhabitants therefore saw that if these lands were to be brought under cultivation, they would have to be protected from overflow by the construction of levees.

The first levee on the Mississippi River was constructed about 1717 for the protection of the City of New Orleans. Louisiana planters who had the means built levees to protect their plantations. During the first half of the nineteenth century these private levees were connected, enlarged and strengthened, largely by the employment of slave labor, and by 1850 the lands along the lower Mississippi were fairly well protected. The planters of Arkansas were less fortunate than their Louisiana neighbors. They were fewer in number, their state had been more recently settled, and they were less able financially to afford the expense of levee construction.

By the act of September 28, 1850, Congress gave to the states of the Mississippi Valley the swamp and overflowed lands, which still remained a part of the public domain, the proceeds from the sale of said lands to be expended by the state in the construction of levees and drains. By this grant the State of Arkansas received about eight million acres. Governor Elias N. Conway was the first governor of the state to emphasize the importance of levees to render the alluvial portion of the state habitable. He came into office in 1852, two years after the passage of the swamp land act, and every one of his messages to the Legislature during the eight years he was in office dwelt upon the subject as one of vital interest to the state. In 1854 the swamp land commissioners reported that they had "caused to be leveed and secured from overflow almost the entire portion of the state fronting on the Mississippi, and a large portion of the Arkansas River, and considerable portions elsewhere in the state."

Through the persisting hammering of Governor Conway, when he retired from office in 1860, over ten million cubic yards of levee had been constructed, the cost of which was $2,500,000. There was then an almost continuous line of levee along the Mississippi River on the entire eastern border of Arkansas. During the war and the reconstruction period which followed, little or no attention was paid to building levees, or to keeping in repair those already in existence. Not until Governor Garland came into office in 1874 was the work of levee building systematically renewed.

In 1879, through the united effort of the states lying in the lower Mississippi

Valley, Congress passed an act creating the Mississippi River Commission, to supervise the work of improving the Mississippi River and some of its principal tributaries by constructing levees to protect the lands from overflow, deepen and remove obstruction from the channel, etc. Owing to the fact that the alluvial areas in the Mississippi Valley constitute only a small part of the United States, Congress was slow to act in the matter. The representatives from the states where there are no overflowed lands could not at first see the necessity for or the propriety of making appropriations that would directly benefit a small portion of the country. However, after the first levees were built under the supervision of the commission and the lowlands were reclaimed, Congress discovered that the improvement of the Mississippi was a great advantage to interstate commerce, to say nothing of the benefits accruing to the post roads, railroads and the mail service. The knowledge thus gained by experience resulted in the passage of what is known as the "Flood Control Act" in 1917, by which Congress appropriated the sum of $45,000,000 for the construction of levees along the Mississippi during the succeeding five years. Several of the levee districts in Arkansas receive liberal allotments from this fund.

LEVEE DISTRICTS

By the act of March 20, 1879, the Arkansas Legislature provided for the formation of levee districts. This was about the time that Congress created the Mississippi River Commission. With a few minor alterations and amendments, the levee law of 1879 remains in force in 1921. Through the cooperation of the directors of the levee districts and the Mississippi River Commission large tracts of overflowed lands have been permanently reclaimed and brought under cultivation. The principal levee districts, with the date of their creation, are as follows:

1. The Chicot District, created by the act of March 20, 1883, and embracing the lands along the Mississippi in Chicot County. 2. The Laconia District, created April 2, 1891, comprising parts of Desha and Phillips counties. 3. The Clay and Greene District, created March 8, 1887, including portions of the counties named. 4. The Red Fork District, created April 2, 1891, for the reclamation of lands in Desha County. 5. The St. Francis District, created March 21, 1893, including the counties of Crittenden, Cross, Lee, Mississippi, Phillips, Poinsett and St. Francis. 6. District No. 1 in Faulkner County, created February 6, 1905. 7. Plum Bayou District, created February 13, 1905, including lands in Jefferson, Lonoke and Pulaski counties. 8. French Town District, created March 8, 1905, comprising a part of Jefferson County. 9. Red River District No. 1, created March 16, 1905, embracing a portion of Lafayette County. 10. Linwood and Auburn District, created March 23, 1905, including the lands along the Arkansas River in Lincoln County. 11. Long Prairie District, created March 23, 1905, in the Lafayette County. 12. Tucker Lake District, created April 18, 1905, embracing a portion of Jefferson County near the lake from which it takes its name.

It will be noticed that the Legislature of 1905 was especially active in the organization of levee districts. Since then several of the small districts in Chicot, Desha, Jefferson and Lincoln counties have been consolidated into the

Southeast Arkansas District, which includes the lands fronting on the Mississippi and extending up the Arkansas River to the neighborhood of Pine Bluff. In the smaller districts the management is vested in three levee directors elected by the property owners of the district. Where the district embraces two or more counties (as the St. Francis), the directors are appointed by the governor, three from each county. There are also a number of smaller districts, such as the Conway County, the Crawford County, the Faulkner County, the Miller County, the White River, etc. In several of the districts the state lands (except school sections) have been donated to the district directors, the proceeds to be used in building levees and opening drains, and in 1905 the St. Francis District was authorized by law to issue bonds to the amount of $200,000. As a further incentive to levee building, the donated lands in this district were exempted from taxation for ten years, beginning in 1903.

BUILDING THE LEVEES

In early days the pick, shovel and wheelbarrow were the principal implements used in levee building. Earth was taken from either side close to the base of the levee. Often this material was of a light, porous composition, poorly calculated to withstand the action of the high waters, hence great vigilance was necessary in time of flood, and constant repairs were required. Later teams were used and earth of better texture for levee building was brought from a distance. Modern levee building is carried on by teams, traction graders, wheel and drag scrapers, steam shovels and drag line machines. In several of the levee districts large drag line machines have been constructed at a cost of over $100,000, but they soon pay for themselves in the quantity of levee built.

The average height of the levees along the Mississippi River is about twenty feet, while those along the other Arkansas streams vary from ten to fifteen feet. They are generally about three feet higher than the highest recorded flood, or three feet above any flood that is likely to occur after the stream is confined to its course by the levees. On the top of the levee is a level space, or roadway, about eight feet wide, and the base is usually equal to six times the height of the levee, plus this eight feet. Thus a levee fifteen feet high would have a base of ninety-eight feet. In many places, particularly at points where breaks are likely to occur, the levee is reinforced on the land side by a banquette, which adds about forty feet to the base and extends to within six or eight feet of the top of the levee, where it terminates in a level surface from twenty-five to forty feet wide.

The average cost per acre to the landowner for levee protection ranges from about $5 in the large districts to $15 in the smaller ones. But when one pauses to consider the benefits arising from levee construction, this assessment is seen to be a good investment. Wild land, subject to overflow, upon which no one was willing to pay taxes, has sold for more than $100 per acre, in its natural state, after the levees were built.

DRAINAGE CANALS

Behind the levees are many places which require drainage before the land can be successfully cultivated. The owners of these lands, as soon as levees

were built, saw the benefits of such protection, and the more progressive of them began to agitate a movement for drainage that would render their farms more productive. To meet the requirement, laws were passed by the Legislature providing for the organization of drainage districts by the county and circuit courts, the landowners directly interested to pay all the costs. As a rule, the drainage district is much smaller than the levee district, because it was found impractical to associate any considerable number of landowners together so that they would work in harmony, and because the engineering problem could be more easily solved in a small area.

The ordinary drainage system consists of a number of drainage canals, about a mile apart, into which open the "laterals," the water in both canals and laterals being conducted to a "main outlet." These canals are usually constructed by means of a floating dipper dredge and vary in size, according to the area to be drained and the quantity of water to be carried off. The average cost of the drainage canal up to 1920 was about $8,000 per mile. To the landowner the drainage cost ranges from $5 to $15 per acre, or about the same as the cost of levee protection.

When the work of constructing drainage canals was commenced, a few short-sighted landowners remonstrated against the assessments. But with the completion of the system affecting their lands those who had been most emphatic in their objections became enthusiastic advocates of swamp land reclamation. They had good reasons for changing their minds. Even at the maximum cost of $30 per acre—$15 for levee protection and $15 for drainage—lands that were practically worthless were made productive and increased in value to $100 per acre or more. In fact, some of the reclaimed land has sold for as high as $250 per acre.

Since the inauguration of the drainage system and the opening of the canals, many farmers have adopted the method of draining their lands with clay tile. By this means the drainage is underground and permits the cultivation of the entire surface, without the interference of the unsightly open ditch. While it is more expensive than the open lateral (often costing $30 to $40 an acre), it is more efficient, is not influenced so much by wet or dry seasons, increases the yield per acre of agricultural products, and requires no labor or care as does the open ditch.

FARM PRODUCTS

Since the first settlement of Arkansas, cotton has been the leading crop. The soil and climate of the greater portion of the state are well adapted to the production of cotton, and in 1920 over 40 per cent of the land under actual cultivation was in cotton. Except in the four northwestern counties—Benton, Carroll, Madison and Washington—cotton is raised as a commercial product, though the alluvial lands of Eastern and Southern Arkansas and along the Arkansas River, extending as far west as Logan County, constitute the great cotton fields of the state. On these lands the yield ranges from 300 to 600 pounds of lint cotton to the acre, with an average of two pounds of seed to each pound of lint. The fiber of this cotton is an inch or more in length, and in spinning it small waste is incurred, which makes it a favorite with manufacturers.

For years before the World war, the cotton produced on the Arkansas alluvial lands commanded a price from 1 to 3 cents higher on the pound than any other cotton produced in the United States, except Sea Island and the cotton raised in the delta of the Mississippi River. It is said that the finest and highest priced cotton in the state is grown in the vicinity of Hope, Hempstead County, due to the character of the soil, the careful selection of seed and more skillful cultivation.

The upland cotton of Arkansas is equal in quality to the upland cotton of other states, though the fiber is much shorter than that of the cotton grown in the alluvial districts and the yield per acre is rarely over 150 pounds.

Next to cotton, corn is the most important field crop. On the best lands the average yield is about ninety bushels to the acre. The average yield for the state in 1920 was a fraction over twenty-three bushels to the acre. As on most of the farms the best land is planted to cotton and only the poorer, worn-out land to corn, the average yield is reduced far below what it would be if corn was given an equal opportunity. The United States Bureau of Crop Statistics said in 1919:

"Corn is planted, not when it should be, but when the labor is not busy with cotton. Poor seed is often used. The crop is given indifferent culture, at widely varying intervals, when the labor is not needed elsewhere. * * * There have been a number of yields of from 90 to 100 bushels to the acre on river bottom land, and when the corn growers of the state adopt good methods, the yields and low cost of production will make corn one of the most profitable crops."

Hay constituted the third crop in importance and value. The term "hay" includes various forage crops, such as alfalfa, Bermuda grass, clover, cow peas, lespedeza, timothy, etc. Instances are on record where heavy buckshot land, well drained, has produced seven tons to the acre, which sold for $40 a ton, or $280 for the crop grown on a single acre—five cuttings during the season.

On the lowlands, where the soil is too wet for alfalfa, Bermuda grass thrives and can be cut twice a year. This variety of hay is grown abundantly along the Arkansas, Black, Cache, Ouachita, Red, St. Francis, Saline and White rivers, and in some other sections of the state. Clover, red top and timothy are raised principally along the northern border of the state. The other forage crops are grown in various sections, the greater part of the product being fed to stock on the farms where it is produced.

Rice stands fourth among the agricultural products of the state. W. H. Fuller is given the credit for introducing rice culture into Arkansas. Mr. Fuller, a native of Ohio, came to Arkansas in 1895 and purchased a farm in Lonoke County. Shortly after becoming a resident of the state, he made a trip with a companion, with two horses and a wagon, to the Gulf coast. While passing through Louisiana he saw, for the first time in his life, fields of growing rice, and it occurred to him that rice could be successfully raised in Arkansas. In 1896 he tried the experiment on his farm, planting three acres, which yielded thirty-five bushels to the acre.

Mr. Fuller displayed no vanity over his discovery, and it was not until eight years later that he made his demonstration to the general public. In 1904 the people of Carlisle and Hazen agreed to pay him $1,000 to raise a crop

of rice, for the purpose of ascertaining whether it could really be made a profitable crop for the state. That year he planted seventy acres and harvested 5,275 bushels, or a little more than seventy-five bushels to the acre. The beginning of rice culture as an industry therefore dates from 1904, but it has gone forward steadily until it occupies fourth place among the agricultural products—and the end is not yet.

The following table shows the acreage and value of the leading field crops (those valued at one million dollars or more) in 1920, the figures being taken from the crop report issued by the the United States Bureau of Crop Statistics and the State Department of Agriculture:

Product	Acreage	Value
Cotton (lint)	2,860,000	$ 77,140,000
Cotton (seed)		11,651,000
Corn	2,360,000	53,567,000
Hay (tame)	660,000	15,312,000
Hay (wild)	192,000	3,492,000
Rice	181,400	11,645,000
Oats	352,000	6,864,000
Sweet Potatoes	51,000	5,402,000
Irish Potatoes	31,000	4,232,000
Sorghum	42,000	4,158,000
Wheat	126,000	2,274,000
Other field crops	81,300	2,266,200
Total	6,936,700	$198,003,200

The last item in the table includes broom corn, cow peas (for the grain), peanuts, ribbon cane (for syrup), rye, soy beans and tobacco. In addition to the field crops mentioned, the value of vegetables raised in home gardens was $11,200,000 and pastures and crops "hogged off" were valued at $32,000,000. Coöperative extension work was introduced in 1906 and since then over seven hundred boys' and girls' clubs have been organized in the state for the study of improved methods of agriculture and home economics; farmers' institutes have been held and a county agent has been appointed in nearly every county to aid the farmers in marketing their products.

HORTICULTURE

The Arkansas State Horticultural Society was organized on May 24, 1879, with E. F. Babcock as president and M. W. Manville as secretary. Prior to that time fruits and vegetables, that come under the head of horticulture, had been grown in various sections of the state, but no concerted effort had been made to encourage the industry. The society was incorporated on January 31, 1889. Under its auspices the first fair was held in Little Rock, beginning on May 15, 1889. In 1920 there were 180,690 acres devoted to the production of fruits and vegetables. The quantity and value of the crops raised on these 180,690 acres were as follows:

Apples, 3,620,000 bushels	$3,620,000
Peaches, 117,000 bushels	292,500
Pears, 38,000 bushels	72,200
Strawberries, 316,800 crates	1,267,200
Cantaloupes, 442,000 crates	994,500
Watermelons, 8,400 tons	29,400
Grapes, 2,400 tons	264,000
Tomatoes, 17,500 tons	262,500
Miscellaneous	350,000
Total value	$7,152,300

The values given in the table do not include the fruits and vegetables consumed at home—only of those actually marketed. Benton and Washington constitute the great apple growing district, though there are several commercial orchards in Boone and Carroll counties. Peaches can be grown successfully in every county except in the lowlands along the Mississippi River. The commercial peach orchards are located in Crawford, Columbia, Franklin, Johnson, Hempstead, Howard, Nevada, Ouachita, Pike, Polk, Pope, Union and Yell counties. The largest peach orchard in the state (4,000 acres) is near Highland, Pike County.

Of the small fruits, strawberries only reached the million dollar mark in 1920. The principal centers of production are about Judsonia and McRae, White County, though the berries are grown in commercial quantities in Carroll, Crawford, Conway, Franklin, Fulton, Searcy, Boone, Benton, Washington, Independence, Polk, Pope and Lonoke counties.

Wherever the Arkansas cantaloupe has been introduced it has become a favorite. With the exception of a small area near McRae, the crop is produced in the western third of the state. Sevier County shipped 314 carloads in 1920 and Crawford stood second, with a shipment of 271 carloads. Hempstead, Howard, Polk and Pike counties were also large producers and cantaloupes are grown in nearly every county west of a line drawn through Little Rock.

Originally, grape culture was commenced as a wine making proposition. When national prohibition came in it was thought that the wine grape would cease to be cultivated, but the demand for all varieties was strong in 1920. The Welch Grape Juice Company closed a contract with an organization in Springdale to erect a plant at that point. The Italian settlement of Tontitown, Washington County, is the great grape center and the only one shipping in car lots, though new vineyards were planted during the year.

LIVE STOCK

With a mild climate, which prolongs the grazing season, with an abundance of water, where pasture and forage crops can be grown with a minimum of effort, stock raising has engaged the attention of many Arkansas farmers in recent years. Through the influence of the State College of Agriculture, the farmers' institutes, coöperative extension work, etc., more interest has been manifested in pure bred varieties of stock. In cattle especially can the improve-

ment be noted. A few years ago a cow was merely a cow. Now more than sixty per cent of the cattle in the state are of high grade breeds, such as Jerseys, Herefords, Holsteins, Shorthorns, Angus, etc. With the decrease in the prices of domestic animals following the world war, there has been a slight decrease in the number of such animals in Arkansas, but the decrease has been no more marked than in other states. On November 1, 1920, the number of domestic animals reported was as follows:

Horses	279,208
Mules	363,420
Milch cows	470,211
Other cattle	676,580
Sheep and goats	217,784
Hogs	1,537,955

During the year there were sold, shipped or slaughtered, animals to the value of $23,943,000, to wit: Horses and mules, $5,720,000; cattle, $5,225,000; sheep and goats, $498,000; hogs, $12,500,000.

A bulletin issued by the United States Census Bureau, covering the decade from 1909 to 1919, shows that the number of farms in Arkansas increased from 214,678 to 232,604; the area of improved land increased from 8,076,254 to 9,210,556 acres; and the value of farm property increased from $400,089,303 to $924,395,483, or an increase of 131 per cent. From the same bulletin it is learned that in 1919 the Arkansas farmers sold dairy products—milk, butter and cheese —to the value of $13,445,124, an increase of 104 per cent during the decade; and that the sale of poultry and eggs brought in $10,668,392, or an increase of $5,540,592 during the decade. There is not much romance about figures and statistics are often dry reading, but the above statements would indicate that the farmers of Arkansas are about as prosperous as those of other states.

PROFITABLE FARMING BUREAU

In September, 1914, Gov. George W. Hays called a conference to consider plans for improving industrial and financial conditions in the state. The result was the organization, on September 29, 1914, of the Arkansas Profitable Farming Bureau, with H. F. Auten as chairman. In December Mr. Auten was compelled to resign on account of his health and E. J. Bodman was chosen as his successor. In 1915, when the Little Rock Board of Trade and the Chamber of Commerce were consolidated as the Board of Commerce, the Profitable Farming Bureau was included as a branch of the new organization. Mr. Bodman continued as chairman of the bureau until January 7, 1921, when he resigned and Lee Miles, former Pulaski County judge, was appointed chairman.

Several trips to other states have been conducted by the bureau. On these occasions representative farmers and business men were given an opportunity to visit the agricultural colleges of a number of states and learn the advantages of scientific agricultural instruction. On one excursion seventy-five members of the Legislature were included. The main work of the bureau, however, has been to show the bankers and business men of the state that their prosperity

depends upon the agricultural interests, and that in assisting the farmer they are assisting themselves. At the same time an effort has been made to show the farmers that by raising their own food and forage on their farms their financial condition might be improved. Another accomplishment of the bureau was in inducing the Legislature of 1915 to appropriate $67,000 for agricultural extension work. Similar appropriations have been made by each succeeding session of the General Assembly. All this has brought about a better understanding between the farmers and business men of the state.

INDUSTRIAL EXPOSITIONS

Arkansas has been represented in a number of the great industrial expositions or "world's fairs" that have been held in the United States. The first of these was the great fair held at Philadelphia in 1876, to commemorate the centennial of American independence. Although the state was just emerging from the darkness of the reconstruction period, the Legislature on November 30, 1875, made an appropriation of $15,000 for an exhibit at the exposition. A state building was erected, which won an award for its size, arrangement and general appearance. Awards were also granted to the state for the exhibit of natural and industrial products; for the collection of native woods, for the display of agricultural products, especially the cotton, and both first and second premiums for cotton in the bale—$1,000 and $500 respectively—went to Arkansas.

An industrial exposition was opened at Louisville, Kentucky, on August 1, 1883. All the states had been invited to send exhibits. The Legislature of 1881 failed to make any arrangements to have Arkansas represented and a number of public spirited citizens donated money and services to provide for an exhibit. Among these were Sterling R. Cockrill, Dr. C. M. Taylor, S. H. Nowlin, G. W. Wooten, Dr. J. M. Keller, J. M. Hewitt and Charles Wallace. On March 31, 1883, Governor Berry approved an act appropriating $750 toward paying the expenses of the exhibit. Arkansas apples and cotton won awards which established the rank of first place for the state for the production of both.

Governor Berry approved an act on March 30, 1883, appropriating $3,000 to defray the expenses of seven delegates—two from the state at large and one from each congressional district—to represent Arkansas at the Cotton Centennial Exposition, to be held at New Orleans in 1884. The governor appointed J. T. W. Tillar and Thomas W. Steele delegates at large; A. G. Jarman, J. W. Corcoran, C. M. Hervey, W. L. Cravens and F. R. Madison from the five districts, respectively. These delegates collected products from all parts of the state, which were exhibited at New Orleans and created much favorable comment. Arkansas won a medal for the Shannon apple as the best specimen exhibited; also an award for the best collective display of apples and over one hundred diplomas for agricultural and mineral specimens. Boone County won the first premium for its collection of fruits.

The World's Columbian Exposition, at Chicago in 1893, celebrating the 400th anniversary of the disvovery of America, surpassed in magnificence all previous expositions. The Arkansas Legislature of 1891 failed to appropriate money for an exhibit, but a number of progressive citizens took the preliminary

steps in December, 1891, to have the state properly represented. A joint stock company was formed with the following board of directors: John D. Adams, George R. Brown, J. H. Clendenin, James P. Eagle, John G. Fletcher, H. E. Kelley, J. D. Kimball, J. M. Lucey and Launcelot Minor. This company, known as the "Arkansas World's Fair Association," raised a considerable sum of money and erected a building at Chicago. It was 66 by 92 feet, two stories high, and in the center of the rotunda was an imitation fountain of Hot Springs crystals lighted by electricity. A few months before the meeting of the Legislature of 1893, the association offered to present to the state the building and the exhibits already collected, if the Legislature would make proper provisions for the state's representation at the exposition. The Legislature accepted the offer and appropriated $15,000 for the purpose of arranging and taking care of the exhibits. The governor then appointed James Mitchell, H. L. Norwood, E. L. Pascoe, W. S. Thomas and R. B. Weaver state commissioners. The President appointed John D. Adams and J. H. Clendenin members of the national commission from Arkansas.

The Legislature also authorized the commissioner of mines, manufactures and agriculture to loan the permanent exhibit of the department to the world's fair commissioners, and to coöperate with them in the effort to have Arkansas well represented. Provisions for an educational exhibit were also made, to be conducted by the superintendent of public instruction. Altogether, the exhibits were the greatest ever made by the state up to that time. Forty-two awards were granted to the educational exhibit; seven for apples in the horticultural department; three for cotton in the agricultural department, and Arkansas received a wide advertisement for the general character of her display.

On September 18, 1895, the Piedmont Exposition, at Atlanta, Georgia, was opened to the public. For more than a year before the opening the citizens of Atlanta had been active in inviting other states to participate. On April 13, 1895, Governor Clarke approved an act of the Legislature directing the commissioner of mines, manufactures and agriculture to go to Atlanta, procure space for the display of the resources of Arkansas, and arrange exhibits showing the agricultural, mining, lumbering and educational progress of the state. The act also carried an appropriation of $10,000 for expenses. Awards were made to the state for its display of apples and for the educational exhibit.

Arkansas was represented at the Trans-Mississippi Exposition, held at Omaha in 1898. No appropriation was made by the Legislature, but an association of citizens was organized, with George C. Harkness as treasurer, and a fund was raised for a creditable exhibit. The officials of the Cotton Belt Railroad Company took an active part in the collection of products and arranging for their transportation to Omaha. Just before the opening of the exposition Congress declared war against Spain. Public interest was therefore largely diverted to the business of raising and equipping troops, but as in former expositions, Arkansas carried off awards and honors for fruit, cotton and the general composition of her display.

To commemorate the centenary of the Louisiana Purchase, an industrial exposition on a gigantic scale was planned for St. Louis in 1904. The Arkansas Legislature of 1901 appropriated $30,000 for an exhibit of the state's products and resources. The governor appointed as commissioners George R. Belding,

James C. Rembelt, George T. Lake, H. T. Bradford and Thomas W. Milan. In the organization of this board, Mr. Belding was chosen president; Mr. Rembelt, secretary; and Mr. Milan, manager. A handsome state building was erected upon the exposition grounds and the work of gathering materials for a display that would outrival all previous efforts was commenced.

The Legislature of 1903 made an additional appropriation of $50,000, making a total of $80,000, a sum sufficient to place Arkansas on a footing equal to that of the other states. J. H. Hinemon, superintendent of public instruction, collected specimens of class work done in the public schools, photographs of a large number of school buildings, etc., and the agricultural, mineral and manufactured products of the state received many flattering comments from the visitors to the exposition. September 22, 1904, was Arkansas Day. Addresses were delivered by George R. Belding, on behalf of the board of commissioners; David R. Francis, president of the exposition; P. D. Scott, national commissioner, and Governor Davis. As in previous competitive exhibitions, Arkansas' cotton, fruits and mineral displays were awarded prizes for their excellence.

In the summer of 1915 the Panama-Pacific Exposition was held in San Francisco to celebrate the completion of the Panama Canal. The Legislature of 1913 failed to make an appropriation for a state exhibit, and to wait until the next meeting of the General Assembly in 1915 would be too late to make the necessary preparations. Governor Hays called a meeting of citizens in Little Rock for February 12, 1914, to take the necessary steps for having Arkansas suitably represented. That meeting was unanimous in its sentiment that a fund must be raised and a collection of the state's natural and artificial resources should be sent to San Francisco.

On July 11, 1914, Governor Hays issued a proclamation calling upon the people of the state to contribute to the exposition fund. In a number of counties the county judges took an active part in securing subscriptions, editors all over the state wrote in favor of the proposition, pointing out that at the Little Rock meeting in February, 1914, Russell Gardner, a wealthy St. Louis manufacturer agreed to give $10,000 to assist Arkansas and appealing to the citizens not to be outdone by an outsider. The final paragraph of the Panama-Pacific history is thus told in Governor Brough's message to the Legislature of 1921:

"Early in 1914 many of the representative citizens of our state met in Little Rock and requested Gov. George W. Hays to use his efforts to see that Arkansas was represented at the Panama-Pacific Exposition. Many volunteered large contributions and it was thought that the whole plan could be carried out without calling on the state for an appropriation. However, the industrial depression from which the entire country suffered in the summer of 1914, as a result of the declaration of the World war, was such that private subscriptions could not be relied on to finance an Arkansas exhibit. Thereupon, the commission appointed by the governor wrote to all the representatives and senators elected to the 1915 General Assembly, asking them whether they would agree to support an appropriation of $40,000 for the purpose of exhibiting the resources of our state at San Francisco. Favorable replies were received from ninety senators and representatives, stating that they would support the bill to appropriate $40,000 for that purpose. Upon receipt of what was thought to be the necessary number of pledges, Governor Hays requested some representative citizens to

lend their credit, in the shape of a note of $500 each, payable March 1, 1915. * * * The bill appropriating the $40,000 was passed by a two-thirds majority of the senate of the General Assembly of 1915 and only lacked one vote of having a two-thirds majority in the house. The appropriation was contested on the ground that it would require a two-thirds majority of each house, and our Supreme Court held that because the bill lacked one vote of the necessary two-thirds in the house, it had failed to become a law.

"I presented this matter to the General Assembly of 1917 and it received the necessary two-thirds majority in the senate, but failed again in the house. The question was again brought to the attention of the General Assembly of 1919, passed the senate by a vote of 28 to 0, and received more than two-thirds majority of those present and voting in the house, but not a two-thirds majority of the entire membership. The Supreme Court sustained the opinion of the attorney-general that an extraordinary appropriation of this character required a two-thirds membership vote of each house and the citizens of our state, who acted from such patriotic motives in 1915, will lose $24,194 which was advanced for the honor of our state, unless legislative relief is given."

With the fund raised by private subscription and the notes given by citizens, a capacious building was erected at San Francisco, and a splendid collection of Arkansas material was in position when the exposition opened. The Legislature of 1921 failed to make an appropriation to pay the $24,194 mentioned and recommended by Governor Brough and it is quite probable that the whole subject will be presented to future Legislatures.

CHAPTER XXIV

COMMERCE AND MANUFACTURING

THE FIRST STORE—EARLY TRADERS AND MERCHANTS—THE WHOLESALE TRADE—PRESENT DAY CONDITIONS—MANUFACTURING—EARLY FACTORIES—SALT WORKS—WHETSTONES—HATS AND CAPS—IRON WORKS—COTTON MILLS—DURING THE WAR—MODERN FACTORIES—STATISTICS—MISCELLANEOUS INDUSTRIES.

M. Dumont, the historian of the La Harpe expedition, which ascended the Arkansas River in 1722, mentions seeing at Arkansas Post "a cabin which serves as a storehouse." He does not give the name of the person who conducted the store—probably some adventurous trader—and it is not known how long the cabin had been in existence at the time of La Harpe's visit, but from Dumont's statement, merchandising was carried on at Arkansas Post at least two hundred years ago. It is believed that the same cabin mentioned by Dumont was subsequently used as a place of business by William Scull & Company, who kept a stock of goods for the Indian trade. This firm was no doubt the first to establish a mercantile house in what is now the state of Arkansas, of which any record has been preserved.

Shortly after Louisiana was ceded to Spain in 1762, Francois d'Armand, a member of a distinguished French family, came to America. He first engaged in business in New Orleans, but about 1766 decided to go up to the "Illinois" and open a trading post. At that time the name "Illinois" applied to a large region of country, with indefinite boundaries, situated in the central part of the Mississippi Valley. On his way up the Mississippi, D'Armand was attracted by the beauty of a point of land near the mouth of the White River and concluded to go no farther. He there built a large house, modeled after the old French chateaus, and engaged in trade, bringing his goods from New Orleans in keelboats. After accumulating a comfortable fortune for that period, he sold his place and returned to France.

As stated in an earlier chapter, Pierre Laclede, the founder of St. Louis, had a trading house at Arkansas Post and died there in August, 1778. Laclede was a pioneer and one of the prominent figures in the Indian trade. He and his agents wandered over Missouri and Arkansas, establishing friendly relations and making trading treaties with the various tribes, exchanging the white man's goods for the Indian's furs. In this trade a number of men laid the foundations of their fortunes and the descendants of the old fur traders are now among the American aristocracy.

Prior to the American occupation of Upper Louisiana in 1804, the white population was very sparse and the early merchants depended more upon the Indian trade than they did upon the patronage of their own race. Within a few months after Arkansas was organized as a territory, there were several

merchants at Arkansas Post. In the first number of the Arkansas Gazette, published on November 20, 1819, Lewis & Thomas had an advertisement announcing "a complete and general assortment of dry goods, groceries, hardware, queensware, books and stationery, 500 bushels of salt, 80 barrels of good whiskey, etc."

The advertisement also stated that the firm was prepared to furnish "Lee's celebrated patent and family medicines," and that "In addition to their assortment of dry goods, they shortly expect from Baltimore, via New Orleans, by the first steamboat at the mouth of the river, 11 trunks of shoes and boots, handsomely assorted, 6 cases of hats, ladies' black beaver hats, with feathers, etc."

In the Gazette of December 11, 1819, first appeared the advertisement of Farrelly & Curran, "Late of Pittsburgh," informing the people "that they are now opening, at the house formerly occupied by Captain Allen, an assortment of merchandise, comprising saddlery, tin, copper and japan ware, stoves and stovepipe, cooking utensils, tools, window glass, whiskey and tobacco, grindstones, &c. &c., all of which will be disposed of on the most reasonable terms."

Rev. Cephas Washburn passed up the Arkansas River in the summer of 1820, on his way to the Cherokee country to establish his mission. In July he stopped at Little Rock and in writing afterward of his journey, said: "Just by the Rock and near the spring was a little framed shanty, containing at that time a very scanty supply of 'drugs and medicines' and a more liberal supply of 'bald face.'" This is the first mention the writer has been able to find of a mercantile house of any kind in Little Rock. By "bald face," Mr. Washburn evidently meant whiskey, so it would seem that Little Rock's first store was little better than a common saloon. Ten years after Mr. Washburn's brief visit the town had five general stores, all doing a good business.

About 1840 Fort Smith came into prominence as a center of the Indian trade. During the next twenty years the merchants of that town practically controlled the trade of the Indian Territory and, with the discovery of gold in California, Fort Smith became an important outfitting point for emigrant parties bound for the Pacific coast.

THE WHOLESALE TRADE

From 1861 to 1874, owing to the Civil war and the reconstruction era which followed, business of all kinds in Arkansas was at a standstill. Merchants bought only the most urgent necessities, and those only in small quantities. Sometimes they could not get them at all. In 1870 the population of the state was 484,471; in 1880 it was 802,525, and in 1890 it passed the million mark. The rapid increase in population, the building of railroads and the founding of new towns during this period of twenty years brought a revival of business. The credit of the Arkansas merchants was restored, goods were bought in larger quantities and in greater varieties.

It was in this period that the wholesale business made its appearance. True, some wholesale trade was carried on before the war, but it was upon a small scale and in a restricted territory. After the war merchants in a number of the larger cities began carrying an extra stock in certain lines, for sale to the retail dealers in the adjacent towns, who frequently drove in with wagons for their

goods. As this trade grew quite a number of the merchants engaged in it dropped the retail trade and became jobbers or wholesalers exclusively.

The principal jobbing centers are Little Rock, Fort Smith, Pine Bluff, Helena and Texarkana. Traveling salesmen from these cities cover a large territory, embracing the entire State of Arkansas, Eastern Oklahoma, Southern Missouri, Northern Louisiana and Western Mississippi. The wholesale houses of these cities handle dry goods, groceries, drugs, hardware, cigars and tobacco, confectionery, paper, fruits, and many other lines suited to the territory in which they operate. Their trade runs into millions of dollars annually.

More than a score of Arkansas cities carry on a jobbing trade in certain lines and over a limited territory. Among these cities may be mentioned Batesville, Berryville, Blytheville, Camden, Dardanelle, De Queen, El Dorado, Fayetteville, Hot Springs, Jonesboro and Paragould. (See also the historical sketches of cities and towns.)

Every village now has its general store—often more than one—and in many of them are stores that handle special lines, such as drugs, hardware, furniture, shoes, etc. A glance at the reports of the Dunn and Bradstreet commercial agencies shows that the financial rating of the Arkansas merchants compares favorably with those of the surrounding states. As a rule the merchants are conservative, careful in their buying and in the matter of granting credit, and upon the whole the commercial interests appear to be in good condition.

MANUFACTURING

Arkansas has never been classed as a manufacturing state, and only in recent years has the industry reached proportions that entitle it to special recognition. There are several reasons for this. 1. Under the old plantation system, prior to the Civil war, "cotton was king" and those who had money to invest preferred to invest it in a cotton plantation rather than a factory. 2. Manufacturing, to be successful, must be carried on within reasonable reach of the demand. For many years the population of Arkansas and the adjacent states was not sufficient to justify the expenditure of large sums of money to establish factories, where much of the product would have to be shipped long distances to find a market. 3. Another reason why factories were slow in coming was the lack of transportation facilities. Although the state is rich in raw materials, the means of bringing those materials to the mills and carrying the finished output to market were so inferior that manufacturing could not have been carried on with profit. 4. Even the simplest manufacturing processes require a certain degree of skilled labor. Farming has always been the leading occupation in the state, consequently very few of the Arkansas people were fitted for factory work, nor had they the inclination to engage in it.

All this meant that if manufacturing plants were to be established in Arkansas, outside capital and imported labor were necessary. Capital is always timid about opening new fields of endeavor, and previous to 1870 most of the skilled labor was fully employed elsewhere. In 1860 there were but 518 manufacturing concerns reported in the United States census. Since the beginning of the present century considerable progress has been made and a number of large manufacturing plants have been placed in operation. According to the latest

bulletin issued by the United States Census Bureau, Arkansas had 2,604 concerns, reporting 41,979 employees, and invested capital of $77,162,485, and a total output of $83,940,587.

EARLY FACTORIES

The earliest factory, of which any definite information can be obtained, was John Hemphill's salt works, established at Blakeleytown, Clark County, in 1811. Blakeleytown was a small settlement on the Ouachita River a short distance below Arkadelphia. Salt was made here by the Indians for many years before the first white settlements were founded in Arkansas and some writers think it was at this point that De Soto made salt in the winter of 1541-42. Hemphill continued the business until his death in 1825 and his heirs carried it on until about 1850. The salt sold as high as four dollars a bushel. On September 3, 1825, Governor Izard wrote to the secretary of war:

"From salines already established, the settlements on the Arkansas River are all supplied with salt at a comparatively moderate price. The principal works are those of two brothers named Bean. The whole quantity which they expect to make in the ensuing twelve months is 5,000 bushels of merchantable salt. They are active and enterprising individuals and are, as I understand, already engaged in opening a road to the White River, in the northern part of this territory, by means of which they will supply that and the circumjacent country with this indispensable article at an average price lower than it has hitherto been procurable for. * * * I have also authorized a Mr. Reese Price to work a collection of salt springs which he has discovered on Deer Creek, about twenty miles north of Fort Smith; and on the application of one Jonathan Calloway, of Clark County, who has purchased the improvements at some salt works in the Washita Saline from Rick Posten for a valuable consideration, I have promised to represent his case to the Government, that he may also have permission to work his mine."

The Bean salt works mentioned by Governor Izard were located in what is now Washington County (then in Crawford). One of the brothers was Mark Bean, who was a delegate to the constitutional convention of 1836. Under date of August 29, 1827, the governor wrote to the secretary of war and again referred to the subject of salt works. "There is also," said he, "an application from persons in Miller County for a lease of certain salt springs on the same terms as those given to Mr. Mark Bean in Crawford County. The success of the latter has produced a great benefit to the citizens on the waters of the Arkansas, who have for two years had a regular supply of that essential article on reasonable terms."

About 1827 Allen M. Oakley established a salt works on the Saline River. A little later William E. Woodruff obtained a license, or lease, to conduct a salt factory in the same locality, on condition that he would sell the salt at a price not exceeding $1.50 per bushel. The leases were granted for three years, at the end of which time the works reverted to the Government, unless the lease was renewed. These early salt factories supplied practically all the salt used in Arkansas, Northern Louisiana, Eastern Texas, and portions of Tennessee and Mississippi. The method of making the salt was as follows:

A furnace was built of stone and clay, large enough to hold two rows of iron

kettles varying in size from fifty to one hundred and fifty gallons. These kettles were cast at Jefferson, Texas, and hauled by wagon to the site of the works. The largest kettles were placed in front, directly over the fire, and the smaller ones at the rear end of the furnace. Plenty of well seasoned wood, cut about four feet long, was provided. The salt water was poured into the large kettles and as it boiled down was dipped back from kettle to kettle. In the last and smallest kettles it began to grain until it resembled a thick corn meal mush. The kettles were then emptied into troughs, one end of which was slightly elevated, and the water was drained off, leaving the salt.

Whetstones—About 1818 whetstones were made from the novaculite deposits in Garland County and floated down the Ouachita and Mississippi rivers on boats to New Orleans, where they found a ready market under the name of the "Washita Oil Stone." The first large factory was established by a Mr. Barnes in 1840. Within a few years the stones became popular with mechanics for sharpening their edgetools and large quantities are now shipped annually to the oil and whetstone factories in the Eastern States.

Hats—About 1842 a factory was established in Little Rock for the manufacture of hats and caps. The output of this factory, which has been given the credit for being the first permanent one in Arkansas, was not large, nor were the hats equal in quality to the Stetson of the present day, but they were durable and found a ready sale among the pioneers.

Iron—As early as 1850 two blast furnaces were in operation in Arkansas. One of these, known as the Bevens Bloomery, was located in the southwestern part of the present Sharp County and was built by Alfred Bevens & Company. The other was situated on Osage Creek, in the central part of Carroll County and was operated by Abram Beach. In 1920 no pig iron was manufactured in the state.

Cotton Mills—A factory for the production of cotton and woolen goods was established in 1857 at Royston, Pike County, by the Arkansas Manufacturing Company. The principal promoters of the enterprise were Henry Merrill, a Georgia man, and John Matlock, of Camden, Arkansas. It turned out yarn and thread until 1863, when it was removed to Texas by order of the Confederate Government. After the war the plant was brought back to Royston. After Mr. Matlock's death the machinery was purchased by the Arkadelphia Manufacturing Company and taken to that city, where a factory was opened on a larger scale. W. W. Bell, the first superintendent of the Royston mills, also established woolen mills at Camden and Nashville. None of these factories is now in existence.

Other early manufacturing concerns were the grist mills and sawmills, which were scattered over the state; the tanyards, which turned out a good grade of leather; a few cabinet-makers made furniture on a small scale; a carriage factory was started at Washington about 1857, but it was closed at the beginning of the war; Parker Sullivan owned and operated quite a saddle and harness factory at old Centerville, Hempstead County; Barney Paynter, of Clark County, won a reputation as a manufacturer of fine rifles, and Jesse Overton, of Ouachita County, also made guns for the pioneers. About 1845 the George Brothers, natives of Germany, started a brewery at Little Rock and made the first beer and ale in the state.

DURING THE WAR

About the close of 1862 Capt. J. M. King, a Confederate officer, was sent to Arkansas to investigate the resources for making salt to supply the army. He reported favorably and M. S. Carpenter, also a Confederate officer, was detailed to return to his home near Arkadelphia and superintend the construction of salt works. Wells were sunk to a depth of about forty feet to obtain the salt water. No kettles were available, so old steamboat boilers were cut open, rolled out flat and then made into large pans for evaporating the water. Hundreds of tons of salt were made by this method, but the works were abandoned at the close of the war.

Straw and palmetto hats were made in large numbers by women and children. There were also several hatters who used the fur of rabbits, racoons and beavers. Among these were Henry James, a Tennessean who lived near Washington; William Head, of Holly Springs, Dallas County; W. B. Turner, whose shop was not far from Magnolia; and George H. Goddard, of Camden.

Merrill & McGill operated a woolen mill at Camden during the war, but the difficulty in obtaining the raw material was so great that the output was necessarily small. Between the years 1861 and 1865 hundreds of the old-fashioned spinning wheels and hand-looms were brought into requisition. No one will ever know how many yards of cloth were woven by the Arkansas women during this period, and made into garments for the family.

While the war was going on the Confederate Government sent hides into Arkansas to be tanned into leather and made into shoes for the soldiers. One of these tanneries and shoe factories was conducted by T. H. Lee near Poison Springs. Daniel R. Winn had a larger establishment about two and a half miles from Washington, where he made shoes and saddles. It is said that he made more shoes for Confederate soldiers than any other man in Southwest Arkansas. William Jones had a tanyard in Hempstead County and also made shoes. Other shoe shops were those of James Lowry, of Washington, A. J. Dunn, of Falcon and two or three at Magnolia.

Ordnance materials were also manufactured in the state. At Arkadelphia Captain Polleys was in charge of shops for the manufacture of haversacks, knapsacks, cartridge-boxes, etc. Captain Leavenworth purchased a foundry at Camden, where he made shot, shells, small cannon, harness, etc., obtaining most of his iron from Jefferson, Texas. Gunpowder was made at Arkadelphia of charcoal, saltpeter and sulphur. Much of the saltpeter was procured in Pike, Polk and Montgomery counties by digging up the ground under old smoke-houses, putting it into an ashhopper, pouring water over it and distilling the saltpeter from the lye.

MODERN FACTORIES

As already stated, manufacturing in Arkansas has in recent years made steady progress and the factories are of a more substantial and permanent character. The discovery of natural gas brought a number of new concerns into the state, such as the glass and brick factories of Fort Smith, the glass and tile works of Texarkana, etc. Improved transportation facilities have also

encouraged the establishment of manufacturing plants in various sections of the state. The largest and most valuable product is that of the great sawmills, which is treated in another chapter, because lumber, as it comes from the mill, constitutes the raw material for various lines of manufacture. The following table shows the leading manufactures, with the number of concerns reporting, the number of employees in each industry, and the value of the output. The figures are taken from a report of the commissioner of mines, manufactures and agriculture for the year 1920:

Class	Number	Employees	Value
Cotton seed oil mills	43	1,200	$10,000,000
Flour mills	102	282	5,802,100
Railroad Shops	19	3,634	4,971,093
Printing houses	307	892	2,341,990
Rice mills	5	116	1,837,478
Bakeries	160	387	1,441,985
Carriages and wagons	46	534	1,186,636
Furniture	21	522	1,112,785
Cooperage	17	485	1,054,317
Foundries, etc.	52	319	633,440
Canning factories	63	454	579,210
Brick and tile	26	200	406,598
Total	861	9,025	$31,367,632

In this table are included the twelve leading lines of manufacture. Comparing the figures with those given in the census bulletin previously referred to, it will be seen that there are 1,743 other concerns, employing 32,954 persons and turning out products valued at $52,572,955. These miscellaneous industries include glass works, candy factories, cigar factories, two cotton mills, two potteries, fertilizer works, agricultural implement factories, ice cream plants, saddlery and harness establishments, metal bedsteads, bed springs and mattresses, refrigerators, creameries, burial caskets, dressed meats, pearl button factories, two structural iron works, vinegar and cider factories, etc. Further mention of these and other manufacturing enterprises will be found in the historical sketches of the cities and towns.

CHAPTER XXV

LUMBERING AND MINING

ORIGINAL FORESTS—VARIETIES OF TIMBER—LUMBER CUT IN 1920—DEVELOPMENT OF THE INDUSTRY—FIRST STEAM SAWMILL—WHERE THE LUMBER GOES—COAL MINING—LEAD MINES—LEAD AND ZINC—MANGANESE—BAUXITE—DIAMONDS—PRECIOUS METALS—NATURAL GAS AND OIL—MINOR MINERALS.

About eighty per cent of the land in Arkansas was originally covered with forests, the timber of which has been developed into one of the most important commercial assets of the state. Over sixty different kinds of trees are cut and sold for building lumber or material for manufacturing purposes. Foremost among these are the shortleaf and longleaf pine, red gum, fifteen varieties of oak, five of hickory (including the pecan), four of ash, three of elm, cottonwood, cypress, tupelo (bay poplar), sycamore, hackberry, persimmon, osage orange and maple. Varieties from which lumber is made in smaller quantities are black walnut, white walnut (butternut), basswood, beech, birch, red cedar, wild cherry, black locust, yellow poplar, etc.

The different species of pine, oak and the red gum furnish the greater portion of the merchantable lumber. The following table shows the quantity of lumber cut in 1920 from the different kinds of timber yielding one hundred thousand feet or more (board measure) in the order of their importance:

Timber	Feet
Shortleaf pine	972,451,000
Red gum	100,186,000
Longleaf pine	69,138,000
White oak	66,092,000
Hickory	46,096,000
Red oak	39,301,000
Ash	24,183,000
Cottonwood	16,748,000
Cypress	12,315,000
Elm	6,645,000
Tupelo	5,377,000
Sycamore	1,602,000
Persimmon	250,000
White pine	210,000
Hackberry	150,000
Osage orange	150,000
Maple	144,000
Total	1,361,038,000

The figures in the above table are taken from the report of the commissioner of mines, manufactures and agriculture. In addition to the immense quantities of lumber cut from the seventeen kinds of timber given, there were cut in 1920 a total of 344,000 feet of minor varieties, such as basswood, beach, red cedar, wild cherry, black locust, black walnut, butternut, yellow poplar, etc. Still further, in addition to the large output of lumber, large quantities of timber are used annually in the manufacture of cooperage material, handles, shingles, boxes and crates, veneers, telegraph and telephone poles, crossties, fuel, etc., so that the drain upon the Arkansas forests is about five billion board feet annually.

A survey of the forests made by government engineers in 1918-19 estimated the available supply of merchantable timber at approximately seventy-nine billion feet. At the rate of five billion feet a year, allowing for the growth of young trees, the visible supply would be exhausted in about twenty-five years. But, through the establishment of the Arkansas and Ozark national forests, a considerable portion of the timber is brought under the conservation policy of the United States, which means that trees must not be cut until they have attained the proper size, and that young trees must be planted to take the place of those converted into lumber. By a careful observation of this policy, coming generations may be assured of a timber supply.

DEVELOPMENT OF THE INDUSTRY

The first lumber made in Arkansas was made with the whip-saw, which has been described in an earlier chapter. Then came the primitive sawmills, run by water power. In these mills the saw was a straight blade of steel set in strong wooden frame called a "sash," which worked up and down on slides attached to upright timbers. To the bottom of this sash a long piece of stout timber was fastened on a hinged joint. The lower end of the timber was connected with the crank on the axle of the water wheel below. This crank was usually about eighteen inches long, giving the saw a cutting stroke of three feet, assisted by the weight of the heavy sash. The log was mounted on a carriage and fastened in place by iron "dogs." As the saw went up a ratchet fed the carriage forward, to be ready for the next downward stroke. When the saw came within about four inches of the end of the log, a device automatically threw the mill out of gear, to prevent the saw from cutting into the "tail-block" of the carriage. To obtain boards twelve feet long, the log had to be cut about four inches longer to allow for the "stump" left by this process.

The old sash sawmill belonged to the "slow but sure" class; that is it was always "slow," and when the water was at the right stage, it was reasonably "sure." In times of flood or drought the mill often stood silent for days, or even weeks, because in the one case there was too much water and in the other there was too little. But with all its faults and imperfections, it was a great improvement over the whip-saw, both as a labor-saving invention and in the quantity of lumber turned out.

As the country became more densely populated and the demand for lumber increased, steam sawmills made their appearance. The first steam sawmill in Arkansas was doubtless the one at Helena. A letter from a Helena man, dated July 28, 1826, and published in the Gazette of August 8, 1826, says:

"Yesterday at 12 o'clock a steam sawmill, built by Messrs. Porter & King, in the upper part of our little town, was put in operation, with two saws. It runs extremely well and cuts fast. This mill has been built from the stump in two and a half months, under the direction of Mr. Porter, with not more than from four to six hands. It adds greatly to the prospects of our town by furnishing the means of building without a resort to the tedious and laborious mode of cutting out plank with the whip-saw."

Upon this letter the editor commented as follows: "This, we believe, is the first steam sawmill ever erected in the Territory of Arkansas—indeed, we do not know of any machinery whatever in the territory that is propelled by the power of steam. We hope the enterprising proprietors will meet with liberal encouragement; and that their example will be followed by others, in the different sections of the territory where a sufficient water power for similar purposes cannot be conveniently obtained."

After the Civil war steam sawmills became more numerous and the old water mill gradually passed out of existence. With the building of railroads lumber companies began to look with longing eyes upon the Arkansas forests and it was not long until larger sawmills were established. It is claimed that Arkansas now has the largest sawmill east of the Rocky Mountains.

WHERE THE LUMBER GOES

Shortleaf pine constitutes the greater part of the Arkansas lumber cut. It is used for building and manufacturing purposes, is usually of high grade, easily worked, and is a favorite material for sash, doors and interior finish. Much of this lumber is used for building material within the state and large quantities are shipped to cities in other states.

Longleaf pine, sometimes called hard pine, is less abundant than the shortleaf variety. Being of slower growth, the wood is stronger, firmer and more durable. It is used for heavy beams, suitable for roof trusses, bridges, etc., and is a popular lumber for flooring.

Arkansas produces more red gum lumber than any other state in the Union. There was a time when this tree was considered practically worthless, but it now occupies a high place as a material for furniture and interior finish. It has a fine grain and the skillful workman can finish it so that it can hardly be detected from Circassian walnut, mahogany and other expensive woods.

Much of the hardwood output, oak, hickory, etc., is used for vehicle material, cooperage, flooring and furniture. The hickory is also used extensively in the manufacture of handles. There are many manufacturers of spokes, hubs, buggy shafts, etc., which are shipped to vehicle builders in other cities. The finest automobile wheels are made of Arkansas hickory and osage orange. The latter wood is especially adapted to such a purpose, being hard and with small tendency to shrink and swell with atmospheric changes. Oars for the United States navy are made of Arkansas ash. Most of the hardwood lumber is produced in the northern part of the state.

Persimmon, though small in quantity, is one of the valuable woods. It is used for golf sticks, shuttles, bobbins and shoe lasts. The sap portion is considered the most valuable, as it is harder and of finer texture. The heartwood

is darker in color and some of it is used in parquetry flooring. Arkansas produces about one-fifth of the persimmon lumber used in the United States.

Black walnut and red cedar, once so plentiful in the South, are now becoming scarce. The furniture factories have about used up all of the former and the demand for fence posts, woodenware and lead pencils have nearly exhausted the supply of the latter. The other varieties of timber furnish a limited supply of lumber that is used for various purposes. According to the census bulletin referred to in the early part of this chapter, the state has 1,252 sawmills and wood working establishments, employing about thirty thousand people.

COAL MINING

Coal stands first in the list of Arkansas minerals, both in the quantity produced and commercial value of the output. The principal coal field is located in the Arkansas Valley, extending westward from Russellville into Oklahoma. According to the reports of the state geologist, the coal-bearing area in the state embraces 1,584 square miles, and it has been estimated that the original supply was about two billion tons. In the vicinity of Clarksville and Russellville the coal is a high grade semi-anthracite, much cleaner to handle than the product of the mines in the western part of the field. In the southern part of the state, particularly in the neighborhood of Camden, there are deposits of lignite, or brown coal, resembling cannel coal, which contains large quantities of oil and yields a fine illuminating gas. Lignite is also found in some other localities, but the deposits have not been developed. The semi-anthracite coal is used chiefly for domestic purposes, the bituminous coal by railroads and factories. Because of the small quantity of smoke, Arkansas coal is used largely by the United States navy. Pope, in his "Early Days in Arkansas," says:

"A specimen of coal from Spadra in Johnson County was received at Little Rock and when burned in a common basket grate set into an ordinary fireplace comfortably heated a room 20 by 40 feet. A few months after a barge of coal arrived from the mines and was put on the market. The mining company expected to mine $150,000 worth of coal during the year. This was undoubtedly the first attempt at coal mining for profit in Arkansas."

Pope does not give the date when the first specimen was tested in the grate at Little Rock, but the Gazette says it was early in 1841. The first mining was done at places where the coal outcropped along the streams. In 1870 the first shaft was sunk at Spadra, Johnson County, but coal did not assume commercial importance until after the completion of railroads into the field in 1883. During the next four years, following the coming of railroad transportation, coal mining was confined almost exclusively to Johnson and Pope counties. In 1887 the coal deposits of Sebastian County began to be developed and mining operations there were soon inaugurated on a larger scale.

Of the 140 coal operators reported by the commissioner of mines, manufactures and agriculture in 1920, sixty-nine were working in Sebastian County, nineteen in Franklin, twenty-three in Johnson, four in Pope, thirteen in Logan, five in Scott, one in Crawford, four in Washington and two in Yell. The annual output of the mines varies from 2,000,000 to 4,000,000 tons.

LEAD MINES

Henry R. Schoolcraft, the noted traveler and writer, who spent some time in Arkansas in 1818, mentioned the presence of lead ore at several places, notably at Bull's Shoals on the White River, on the Trimble plantation near the shoals, and on the Strawberry River, in Lawrence County. The Town of Lead Hill, Boone County, takes its name from the lead deposits near by. A few years before the beginning of the Civil war two smelters were erected in that locality. About 1871 Colonel Childers built a smelter almost in the edge of the town, and an Illinois company established a smelter about three miles southeast of Lead Hill. During the years 1873-74 these two concerns are reported to have turned out 104,600 pounds of pig lead. The Boston Mining and Smelting Company, incorporated under the laws of Illinois, opened some lead mines on Cave Creek, Newton County, and built a smelter, which ran for about two years. In 1882 the Missouri and Arkansas Mining Company put up a lead smelter on the Buffalo River near Boxley, Newton County. During the next two years this company produced 80,000 pounds of pig lead, which was hauled by wagon to Eureka Springs. The lack of transportation facilities, with the decline in the price of lead, then practically put a stop to lead mining for several years.

LEAD AND ZINC

In several of the northern counties there are extensive deposits of zinc ores in the form of zinc sulphide (commonly called "jack"), zinc carbonate (smithsonite), and zinc silicate (calamine). The first attempt to develop these ore deposits was made in 1857, when a smelter was erected at Calamine, in what is now Sharp County. During the next four years it shipped about one hundred tons of zinc carbonate, in addition to that smelted by the company. The smelter was closed at the commencement of the Civil war in 1861.

About 1886 prospectors went into the western part of the zinc field and began developing the deposits in a small way. They made some money and attracted the attention of others, with the result that in 1899 several large companies invested heavily in zinc prospects in Marion County. With the development of the zinc mines came a revival of the lead mining industry. According to the report of the commissioner of mines, manufactures and agriculture, there were in 1920 twenty-four companies operating in Marion County, the same number in Boone, fourteen in Newton and nine in Searcy. These seventy-one companies produced during the year 48,415,000 pounds of zinc ore and 1,000,000 of lead ore. Zinc smelters are operated at Fort Smith and Van Buren, handling ores from Arkansas, Missouri and Oklahoma.

MANGANESE

Manganese is defined as a "hard, brittle metallic element having a grayish white color tinged with red and rusting like iron, but not magnetic." It is used as an alloy in the manufacture of steel and bronze. Manganese steel—that is steel containing a certain amount of manganese—is much harder and tougher than ordinary steel.

There are two well defined fields of this ore in Arkansas. The first, known as the Batesville district, is in the northern part of Independence County, extending into Izard and Sharp counties. Its area is about one hundred and fifty square miles. The ore here occurs in the form of loose masses, varying in size and imbedded in clay, hence it is easily mined. It is said to be superior to any other manganese produced in the United States. The second field extends from the Pulaski County line to the western boundary of the state. Here the ore is found in nodules, pockets and irregular veins scattered through the novaculite deposits. The most extensive known deposits are near Mena, Polk County. Several efforts have been made to work the deposits in Pulaski, Saline, Garland, Hot Spring, Montgomery, Pike and Polk counties, particularly during the World war, when the price of manganese ore reached $80 a ton, but no permanent mines were established.

The first manganese was mined in Arkansas about 1851, when Matthew Martin shipped small quantities of the ore from Batesville. This is said to have been the second manganese mined in the United States, the first having been produced in Hickman County, Tennessee, a year or two before. After Mr. Martin's experiment the business was carried on in a limited way until 1868, when the first shipment for use in the manufacture of steel was made by William Einstein. With the completion of the railroad through the White River valley the industry received an impetus and the output increased.

During the World war, when the supply of manganese from Brazil fell off, the Government assigned H. D. Miser, of the United States Geological Survey, to make an examination of the Batesville field. He visited 180 mines and prospects and reported the ore of high grade, containing as high as 45 to 52 per cent of manganese. "The deposits of the region," said he, "perhaps include at least 250,000 tons of available ore containing 40 per cent or more manganese, and 170,000 tons containing less than 40 per cent manganese."

According to the report of the commissioner of mines, manufactures and agriculture, there were twelve manganese mining companies operating in 1920. One of these was at Anderson, Izard County; five at Batesville and six at Cushman, Independence County.

BAUXITE

The discovery of the Arkansas bauxite deposits was made by Dr. John C. Branner, state geologist, in June, 1887, at several places along the road running south from Little Rock, a little more than a mile south of where the road crosses the Fourche Bayou. In his report Doctor Branner states that W. Byrd Powell, in a report on Fourche Cove published in 1842, mentions an "amygdaloid formation," and that David D. Owen, state geologist from 1857 to 1860 noticed a "ferruginous amygdaloid" of rather peculiar character, but neither of the early geologists recognized the deposits as bauxite. In fact, at the time they made their reports bauxite was very little known in Europe and not at all in America.

Doctor Branner wrote to a reduction works in Pittsburgh, Pennsylvania, calling their attention to the nature and extent of the deposits, but failed to interest them. He then made a trip to Syracuse, New York, but with no better

success. A few requests for specimens came in and were referred to the Little Rock Board of Trade. The first mention in the report of the commissioner of mines, manufactures and agriculture of shipments of bauxite was in 1899, when 5,045 tons were shipped. It is known, however, that some shipments were made before that time, but they were small and no record of them was kept. There are three well defined fields where the ore has been found, viz.: The Fourche district, which lies just south of the Fourche Bayou and between the Rock Island Railroad and the Pine Bluff division of the Missouri Pacific; the Bryant district, about eighteen miles southwest of Little Rock, in Bryant Township, Saline County; the third is really a part of the Bryant district, being separated from it only by Hurricane Creek, and is almost due east of Benton. The greater portion of the ore comes from the Bryant field and is shipped from the town of Bauxite, on the Rock Island Railroad.

The commissioner of mines, manufactures and agriculture, in his report for 1920, says: "More than ninety per cent of all the bauxite produced in the United States is mined in Pulaski and Saline counties and all of the bauxite used in the United States in the manufacture of aluminum in 1919 came from the Arkansas deposits. This state also furnished 28,981 long tons to the chemical industries, 31,180 long tons to the abrasive industries and 1,059 long tons to the makers of refractories. Domestic production of bauxite since 1915 (in long tons) has been as follows:

Year	Arkansas	Other States
1915	268,796	28,245
1916	375,910	49,190
1917	506,556	62,134
1918	562,892	42,829
1919	333,490	43,076
1920 (Estimated)	500,000	50,000"

DIAMONDS

On August 1, 1906, John W. Huddleston picked up on his farm, near the mouth of Prairie Creek and about two and a half miles southeast of Murfreesboro, Pike County, two glittering pebbles. These he sent to a Little Rock jeweler, who pronounced them genuine diamonds. Later the stones were sent to New York, where they were examined by experts and were cut and polished by the well known firm of Tiffany & Company. In the rough, these first two diamonds weighed about three carats each. A company was then formed to prospect for diamonds and John T. Fuller, a mining engineer, who had been connected with the De Beers Company, of South Africa, was employed to examine the Pike County field and report. In his report Mr. Fuller said:

"The diamond-bearing rock occurs in South Africa in what is there locally known as a 'pipe,' which is the neck, or vent, of an old volcano, filled up solid with the diamond-bearing rock. This rock is technically known as peridotite, a rock of bluish green color, and known in Africa as Kimberlite, or more popularly as blue ground. That the diamond-bearing rock found on your property in Pike County is peridotite is unquestioned. That it occurs on the property in a

'pipe' similar to its occurrences in South Africa has been, to my mind, sufficiently demonstrated."

The formation in which the Arkansas diamonds are found was first observed by W. Byrd Powell in 1842. He connected it with the igneous rocks in other sections of the state. David D. Owen mentions it in his reports as a "porphyritic greenstone." It was not recognized as peridotite until 1889, when Dr. John C. Branner and Dr. R. N. Brackett, of the Arkansas Geological Survey, examined it more carefully and classified it. They published a paper entitled "The Peridotite of Pike County Arkansas." Although many people in the United States knew that peridotite was the formation in which diamonds are found, no interest in the subject was manifested until Mr. Huddleston actually found diamonds.

In 1908 the Arkansas Diamond Company was organized with an authorized capital stock of $1,000,000 for the thorough development of the diamond field. A modern reduction plant was erected and up to 1920 over five thousand diamonds have been taken from the small area covered by peridotite formation. The largest of these weighed eighteen carats and another weighed eleven carats. There are four small areas of the peridotite, and the Kimberlite Diamond Company is also operating in the field.

In the mountains about the City of Hot Springs, particularly Crystal Mountain, are found large quantities of quartz crystals. Some of the finest, when first cut and polished, closely resemble real diamonds, but their luster is not permanent. Visitors to the famous resort often carry away with them watch charms, scarf pins, brooches, rings, etc., made from these crystals, which are known as "Hot Springs diamonds."

PRECIOUS METALS

At various periods in the history of Arkansas rumors of rich finds of gold and silver have gained circulation. Geologists have noted that throughout the granite formation exposed in Central Arkansas, extending from Pulaski to Pike County, argentiferous (silver-bearing) galena, the richest being in Montgomery County. Traces of old Spanish diggings have been found at several places in this area—evidence of their knowledge of the existence of lead and probably more valuable minerals. As early as 1809 there was a gold excitement over the discovery of mines in Arkansas, about which different stories have been told. One account says that a hunter named Trammell found near the foot of Crystal Hill a large quartz crystal in which were small grains of ore resembling gold. Dr. David D. Owen, in one of his early geological reports, speaks of some lead mines "a few miles north of Little Rock," where a nugget of gold was found in 1809, which was the foundation of the rumor that a rich gold field had been discovered in what is now the State of Arkansas. About 1839 Ira B. Whitmore, of Little Rock, became associated with Tapley H. Stewart, who had been interested in the mines amount Dahlonega, Georgia, and the two men visited one of the old Spanish diggings in Montgomery County. They brought back to Little Rock a few specimens of gold ore, but it does not appear that they made any effort to develop the mines in that locality.

In 1874 a settler in the hilly portion of Sevier County located a claim upon

which he claimed to have found silver. A little later he sold the claim for a wagon, a pair of mules and $400 in money and went back to Missouri, from which state he had come, leaving the purchaser to find out that the prospect was a barren one. John Bellah, a farmer living a few miles north of De Queen, found a substance which he thought was silver and sunk a shaft about twenty feet deep without finding any vein. "Uncle Sam Davis," as he was commonly called, located a claim which still goes by the name of the "Davis Mines." He did some development work on it and it is said was offered $30,000 for it by some Philadelphia parties. He refused the offer, saying: "If it is worth thirty thousand it is worth a million." Probably he afterward regretted his refusal, as he never realized a dollar from the mine and died a poor man some years later.

Several times since the boom of 1874-75 money has been spent to develop the Davis and Bellah mines. Dr. John C. Branner's report for 1888 may have been responsible for some of the activity that followed immediately afterward. In that report he says:

"What is most needed in the silver areas is exploration to greater depths; in other words, development. Let us hope that this rather than the opening of numerous new 'prospects' may characterize the near future. The successful outcome of work in the deeper portions of two or three properties, that will probably reward diligent prospectors, if the ore bodies be clearly followed, will give a greater impetus to the mining industry than the uncovering and exhausting a large number of surface 'bonanzas.' * * * The Silver Hill district, if carefully explored, may yield good returns, but deep workings directly upon the ore body will be requisite for development. There is a very enticing field for prospectors northeast of the Bellah and Davis mines, as far as Silver City (in Montgomery County), along a narrow belt and in a southwestward continuation of the same belt indefinitely into Oklahoma."

When the Kansas City Southern Railroad was completed, another company undertook to exploit the old Bellah mine. Buildings were erected, machinery was installed and a carload of crushed rock was shipped to Kansas City to have the silver ore extracted—but only a trace of ore was found. The mining machinery was then removed elsewhere and the engine and boilers were used to run a sawmill.

In his report for 1920 the commissioner of mines, manufactures and agriculture mentions but one concern engaged in silver mining. That was the Silver King Mining Company, a Hot Springs corporation, which was organized for the purpose of developing the Waterloo mine, near old Silver City, Montgomery County. In June, 1921, this company published a report stating that ore from the lower levels of the mine had been sent to St. Louis for examination and assayed $380 of pure silver per ton. If this report be true, silver mining in Arkansas may become a reality.

NATURAL GAS AND OIL

There are two known natural gas fields in Arkansas—one in the northwestern part, embracing Crawford, Scott and Sebastian counties, and the other in Union County and probably some of the adjoining counties. The first gas well in the state was drilled on the Massard Prairie, south of Fort Smith, in 1901.

Subsequent tests have demonstrated that the northwestern field extends from the vicinity of Alma, Crawford County, to Poteau, Oklahoma. The daily production of gas in this field, from wells in operation in 1919, was 200,000,000 cubic feet. One well has a daily record of 24,000,000 cubic feet and is one of the largest in the Southwest. Pipe lines have been laid to the nearby cities, and thousands of homes are supplied with fuel for cooking and heating purposes. The public utilities of Fort Smith and Van Buren, as well as the coal mines in the vicinity, are operated with power generated by natural gas, and a number of manufacturing concerns have availed themselves of the cheap fuel.

Gas in this field is struck at depths varying from 750 to 3,200 feet. One well, about five miles northwest of Fayetteville, is only 330 feet deep. Since 1917 it has furnished sufficient gas for cooking and heating at the home of the farmer on whose land it is situated. It is believed that if this well were sunk deeper a greater flow of gas could be obtained. Gas has also been found in small quantities near Batesville, Independence County, but has not been commercially developed.

In the southern field, gas was discovered near El Dorado late in the year 1920 by the Constantin Refining Company, who were prospecting for oil. The initial flow at this well was heavy enough to warrant the belief that a gas field could be developed which would equal that in the northwestern part of the state. Up to July, 1921, five other gas wells had been found in this field. The gas has been piped to El Dorado, where it is used for domestic and manufacturing purposes. The Arkansas Natural Gas Company, which obtains its supply from the Louisiana gas fields, supplies gas to Hot Springs, Little Rock, Malvern, Pine Bluff and other Arkansas cities.

The first production of oil in commercial quantities in Arkansas came from what is known as the "Hunter Discovery Well," near Stephens, Ouachita County, late in the year 1920. This well, with leases on several thousand acres of land, was taken over by the Standard Oil Company. The second oil well was drilled by the White Oil Corporation about eight miles southwest of El Dorado. It "came in" on December 23, 1920, with a daily flow of twenty-five barrels.

Neither the Hunter nor the White well created much excitement, and the Arkansas oil boom really dates from the Mitchell & Busey well, which was completed on January 10, 1921, and showed a daily production estimated at 10,000 barrels. Arkansas first appeared in the reports of the United States Geological Survey as an oil producing state in March, 1921, with 10,000 barrels as the monthly output. The increase from that time to the 1st of July was as follows:

Month	Barrels
March	10,000
April	300,000
May	550,000
June	880,000

On July 1, 1921, Arkansas stood seventh of the oil producing states, being exceeded only by California, Kansas, Louisiana, Oklahoma, Texas and Wyoming.

An oil refinery was established at Fort Smith before the discovery of oil in the state, for the refining of oils from Kansas and Oklahoma. Shortly after the completion of the Mitchell & Busey well, the Arkansas Refinery Company established a plant at Pieron, near Little Rock. The first consignment of crude oil (ten cars) arrived at this refinery on May 24, 1921.

MINOR MINERALS

Scattered over the state are numerous deposits of minerals of various kinds which are as yet undeveloped. Many of these will be mentioned in connection with the counties in which they occur. Among those which have been partially developed may be mentioned antimony, asphalt, clay and sand, copper and Fuller's earth.

Antimony has been mined at intervals since 1873 in Sevier County, near Antimony and Gilham, and in the western part of Howard County. It is believed that the deposits extend westward into Oklahoma. The ores have been mostly a rather pure oxide and sulphide of antimony, with traces of silver in places.

There are seven known asphalt deposits in the state, three of which are in Pike County and four in Sevier. The deposit near the head of Prairie Creek, in Pike County, is the only one from which asphalt has been exported. Between 1903 and 1906 the Arkansas Asphalt Company took from this bed 4,815 tons, valued at $22,368. The material was used for paving some of the streets in Little Rock.

Clay suitable for brick making is found in numerous localities, and much of it has been utilized for that purpose. Fire clay is found in Clark, Crawford, Hot Spring, Saline and some other counties. Fire brick have been made at several places. Sand adapted for building mortar exists in most of the streams. Since the establishment of glass factories at Fort Smith, beds of glass sand have been developed on the White River in the southern part of Izard County, from which about one thousand tons are shipped monthly. There is also a deposit of glass sand near Pine Bluff. More than thirty beds of kaolin and pottery clay have been reported. The best known are those of Saline County. Two potteries at Benton turn out a good quality of crocks, jugs, etc., as well as some art pottery.

Several of the reports of the state geologist contain references to copper ore. In January, 1921, Elmer Bird, a mining engineer of Little Rock, discovered outcroppings of copper in Saline County. He sent specimens of the ore to the Pittsburgh testing laboratory, which reported that it contained 51 per cent copper. Mr. Bird staked out a twenty-acre claim, but did not make his discovery public until the latter part of July.

Fuller's earth is produced in several states. The deposit near Alexander, Pulaski County, was first mentioned by Dr. John C. Branner in his report for 1890. It was used for some time for clarifying the oil made by the Southern Cotton Oil Company. The largest deposits are about seven miles west of Benton and were discovered by John Olsen in 1897, who has erected a plant at Klondike for milling the earth.

CHAPTER XXVI

FINANCIAL HISTORY

FINANCIAL CONDITION IN EARLY DAYS—CONSTITUTION OF 1836 ON BANKS—THE REAL ESTATE BANK—MILLER AND GOUGE'S REPORT—GOVERNOR CONWAY'S LAST MESSAGE—THE HOLFORD BONDS—SUPREME COURT DECISIONS—STATE BANK OF ARKANSAS—FUNDING THE STATE DEBT—RAILROAD AID BONDS—LEVEE BONDS—THE TEN YEAR BONDS—LOUGHBOROUGH BONDS—THE FISHBACK AMENDMENT—THE ARKANSAS COMPROMISE—DUE THE UNITED STATES—DUE ARKANSAS—STATE DEBT IN 1921—ARKANSAS BANKERS' ASSOCIATION.

In the early years of the nineteenth century the first actual settlers of Arkansas began the work of building up a state in the primeval wilderness. There were few weaklings among those pioneers. Most of them were men of courage, who had abandoned the comforts of established civilization and, full of hope for the future, bravely undertook the task of building up a civilization more to their liking. It is the history of every new state that, until the resources are developed to a point where they will yield an income, the demand for public expenditures outstrips the sources of public revenue.

Congress, in creating the temporary government for the Territory of Arkansas in 1819, helped by making appropriations for certain purposes, and by granting large tracts of land, though the land then was of little value. Subsequently, appropriations were made for building roads, a grant of land was made for erecting public buildings at the seat of government, etc. Even with all this help from the General Government, the burden of taxation fell heavily at times upon the settlers, yet they never faltered in the determination to conquer the wilderness and looked forward to the day when they would have a state government established upon a firm foundation. If they made mistakes in financial matters, it was chiefly because they allowed their eagerness and enthusiasm to outrun their judgment.

According to the United States census of 1830, the population of Arkansas was 30,388. A census taken in the early part of 1835, preparatory to applying for admission into the Union, showed a population of 51,809. During the same period there was an increase in the valuation of property of over 500 per cent. However, the increase in population and property values was much greater than the increase in "ready money," and along with the movement for statehood came an agitation for banks, the theory being that such institutions could be made to supply practically unlimited credit, where real money could not be obtained. One advocate of banks wrote: "It is not possible to present more striking proof of the necessity of a bank in this territory than to refer to the fact that of the hundreds of thousands of dollars brought here to be invested

in lands, not a dollar of it remains at present merely for want of a safe place of deposit."

The last Territorial Legislature, which was in session from October 5 to November 16, 1835, had for a time under consideration an act to establish the "Union Bank." It is said the bill failed of passage only because a majority of the members doubted the constitutional authority of a territory to establish a bank. That Legislature provided for a constitutional convention, which met on January 4, 1836. The constitution adopted by that convention provided that:

"The General Assembly may incorporate one State Bank, with such amount of capital as may be deemed necessary, and such number of branches as may be required for public convenience, which shall become the repository of funds belonging to or under control of the state; and shall be required to loan them throughout the state, and in each county, in proportion to representation. And they shall further have power to incorporate one other banking institution, calculated to aid and promote the great agricultural interests of the country; and the faith and credit of the state may be pledged to raise the funds necessary to carry into operation the two banks herein specified: Provided, such security can be given by the individual stockholders as will guarantee the state against loss."

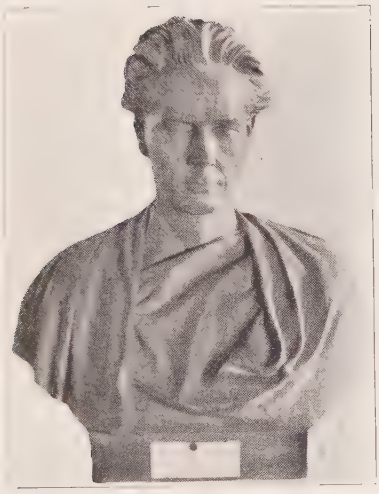
On September 12, 1836, the first State Legislature was convened. Under the constitutional provision quoted above, bills were introduced early in the session for the incorporation of two banks—one to be known as the "State Bank of Arkansas," and the other as the "Real Estate Bank." On October 26, 1836, Governor James S. Conway approved the act creating the

REAL ESTATE BANK

The plan upon which this bank was founded was for the state to issue bonds to the amount of $2,000,000, bearing 6 per cent interest, the proceeds to be used as the capital of the bank. In consideration of this loan of the state's credit, the stockholders were to mortgage to the state real estate of sufficient value to secure the state against loss. The stockholders mortgaged 127,500 acres of land, which they claimed was worth $48 an acre, or a total value of $6,120,000, to secure the payment of the $2,000,000 in bonds. Disinterested appraisers valued the land at $2,603,000, and many thought these figures too high, an opinion fully sustained by subsequent developments.

The main bank was to be located at Little Rock, with branches at Helena, Phillips County; Columbia, Chicot County; and Washington, Hempstead County. By this arrangement the northwestern part of the state was "left out in the cold." On February 24, 1838, Governor Conway approved an act authorizing a fourth branch, to be located at Van Buren, Crawford County, and the issuance of $500,000 in bonds for its capital. The stockholders of this branch mortgaged to the state 79,601 acres of land, valued at $751,830.

In September, 1838, the main bank at Little Rock succeeded in disposing of 1,530 of the bonds at par ($1,530,000). The treasurer of the United States purchased 500 of these bonds, to be held in trust for the benefit of the Smith-



ELIAS N. CONWAY
Governor of Arkansas, 1852-1860

sonian Institution; Joseph D. Beers, of New York, purchased 1,000, and the other thirty were sold to Richard M. Johnson, then Vice President of the United States.

On December 12, 1838, the main office at Little Rock opened its doors for business. The Helena branch was opened on February 15, 1839, the Columbia branch on the 5th of March following, and the Washington branch on the 1st of April. On October 31, 1839, the loans and discounts of the parent bank and branches amounted to $1,585,190.80. Two days later the principal bank suspended specie payment, a policy which was quickly followed by all the branches. Then the trouble commenced.

Suspension of specie payment was expressly prohibited by the bank's charter, which provided, among other things, that for every refusal to redeem its notes and obligations in current money of the United States, the injured party might recover damages at the rate of 10 per cent per annum on the full amount of the note in question. Nor was there any good reason for suspension. At the time the order was issued the bank's outstanding circulation was $156,910, its loans and discounts exceeded its capital by only $85,190.80, and it had in its vaults in gold and silver, $111,967.54—a much larger specie reserve than banks of that day were accustomed to carry. One writer on the subject says:

"The principal bank had been in operation one year, almost to a day. The time had now arrived for the stockholders to begin payment of their obligations at the bank for stock they had engaged to purchase. Now these same stockholders were in debt to the bank for large sums of money which they had borrowed. The day set for the return of a part of all such loans was now close at hand. Something had to be done about it or the bank would fail. To maintain specie payment the bank must demand payment of the debts that were due it. If that was not to be, then it might suspend the payment of specie, issue new notes and extend the loans of its customers. * * * And since they elected to adopt the latter course, knowing as they did that such an expedient must necessarily result in the depreciation of the currency and discredit of the bank, one cannot but assume that the perpetrators of this unlawful act were inspired by motives that gave the lie to their words. Incompetent as they doubtless were, it would be straining the point too far to excuse their acts upon a plea of ignorance. * * * If the directors had been content to keep well within the bounds of safe and conservative business methods, and if they had faithfully discharged their duty toward all creditors, without fear or favor, suspension might easily have been avoided. In the end the bank might have fulfilled in some measure the high expectations of its promoters."

Within six months after suspension, the bank had five times as many notes in circulation as it had on November 1, 1839, but they had depreciated until they were worth only about fifty cents on the dollar. The specie on hand was used to pay the salaries and expenses of the bank officials. If there was a balance the public never heard of it, or at least did not share in its benefits. By the time the Legislature met in 1840, the prevailing opinion was that something was wrong. While the bank had been expanding its circulation and also its loans and discounts, it had not collected enough in real money to pay the interest on the state bonds. Governor Yell, in his inaugural address, took a decided stand on the banking question. "Let no political or personal considera-

tion," said he, "swerve you from a scrutinizing and fearless discharge of your duty to enforce all proper means to bring back your depreciated state paper to a sound specie standard; or lay the axe at the root of the evil."

This sound advice was unheeded. True, the Legislature ordered an investigation, but it turned out to be a "whitewashing performance," its report having been prepared by the managers of the bank. It is said that some of the members of the Legislature were so much in debt to the bank that an honest investigation was impossible. And the judiciary committee of the House reported that the Legislature "had no right to examine into the affairs of the Real Estate Bank and its branches." The Legislature had created the bank, but the creature had become more powerful than the creator.

During the next two years the Real Estate Bank was a fruitful topic of discussion in every nook and corner of the state. A popular movement, led by Governor Yell, was organized for the avowed purpose of compelling the bank to live up to the terms of its charter. In the election of 1842 only seven representatives who had sat in the session of 1840 were reelected, although several others were candidates. The bank was expecting something of this nature. To forestall any investigation by a hostile Legislature, the executive board on April 2, 1842, made an assignment of all the assets of the bank to fifteen trustees, all of whom held official positions in the bank. The trustees were: Carey A. Harris, president of the Little Rock Bank; Samuel C. Roane, director in the same bank; Daniel T. Witter, president of the Washington branch; George Hill and Enoch J. Smith, directors in the Washington branch; H. L. Biscoe, president of the Helena branch; W. F. Moore and John Preston, Jr., directors in that branch; S. C. Faulkner, president of the Columbia branch; A. H. Davies and Silas Craig, directors in the Columbia branch; John Drennen, president of the Van Buren branch; L. N. Clark and Robert S. Gibson, directors in the Van Buren branch; and the firm of Biscoe & Moore, of Helena, composed of H. L. Biscoe and W. F. Moore, who were thus given double powers as trustees.

These fifteen trustees owed the bank $151,425.32 as principals and were sureties on the notes of others for $145,227.30, making their total liability $296,652.62. No doubt these men were honest at heart, and most of them were prominent in Arkansas affairs. Shakespeare tells us that "Conscience doth make cowards of us all." Self-interest is as likely as conscience to make men cowards, and with a board of trustees so deeply involved it could hardly be expected that they would enforce collections, a large part of which was due from themselves.

The Legislature of 1842, after three months of wrangling, passed an act which was in the nature of a compromise. It went into effect on March 13, 1843, but no change could be observed in the attitude of the trustees, who continued to be guided by their "own sweet will," rather than the laws of the state.

Passing briefly over the events of the next few years, Governors Drew and Roane discussed the affairs of the bank in their messages and urged the Legislature to take some decisive action. No new issues of paper money were made after the assignment of 1842, and that in circulation was gradually retired and destroyed. In 1845 the state refused to accept Real Estate Bank notes in payment of taxes, and as currency the notes were rarely seen in ordinary

business transactions. Specie took the place of the depreciated notes, and though money was not so plentiful, its value was more certain. The bank was universally regarded as a total and complete failure and there was talk of a constitutional amendment prohibiting banking institutions of every description. In the state of the public mind, had such an amendment been submitted to popular vote, its ratification would have been assured.

Elias N. Conway was elected governor in 1852 and at once took steps to wind up the bank's affairs. The Legislature of that year passed an act to regulate the manner of bringing suits against the state to enforce payment of the bonds, and another act directed the attorney-general to bring an action in the Chancery Court to dispossess the self-appointed board of trustees. For some reason the attorney-general refused to comply with the law. After waiting a reasonable time, Governor Conway employed special attorneys to file the suit. Delays occurred and the state auditor resigned his office rather than furnish information concerning the public finances, when ordered to do so by the courts.

The Legislature of 1854-55 created a separate Court of Chancery and on April 20, 1855, this court appointed Charles F. M. Noland receiver and ordered the trustees to turn over to him the property and records of the bank. From this time on better progress was made in liquidating the business of the institution.

MILLER AND GOUGE'S REPORT

Under the act of January 15, 1855, Governor Conway appointed William R. Miller and William M. Gouge, expert accountants, to investigate the condition of the bank and report. On June 27, 1856, they made their report, showing the gross assets of the bank to be $5,006,507.53, of which $2,514,500 they regarded as worthless, leaving net assets of $2,492,007.53. The liabilities amounted to $2,415,759.26.

"The labor," says the report, "has been not a little increased by the fact that the accounts at the different offices were not kept on uniform principles. And also, by the fact that, at some of the offices, but little attention was paid to some of the plainest rules of bookkeeping, such for example, as recording every business transaction as soon as possible after its occurrence, and of recording it in such a way that it could not be misunderstood. In some instances transactions were not brought on the books till months, or even years, after their occurrence. In other instances various items, which ought to have been kept distinct, were mixed together. Thus, at one of the offices, whatever was paid out for salaries and other expenses of the trust, was, as a general rule, stated as so much for 'expenses,' without specifying for what object those expenses had been incurred. If a note was renewed, though not one cent was paid on it, all the formalities were gone through with, of making entries under the heads of deposits, interest and notes discounted. In this way the accounts were unnecessarily complicated."

The report also showed that from the date of the assignment on April 2, 1842, to the appointment of the receiver on April 20, 1855—a period of thirteen years—the "expenses" were $16,544.42 per year, or a total of $215,207.46.

GOVERNOR CONWAY'S LAST MESSAGE

From 1855 to 1860 considerable progress was made in adjusting the affairs of the bank by the receiver. In his last message to the Legislature, November 6, 1860, Governor Conway gave the following account of the bank's status:

"On the 1st day of October, 1860, there were 899 six per cent bonds, which had been issued to and sold by this bank, remaining unredeemed. These bonds will be due on the 26th of October, 1861. The interest unpaid by the bank, on the 1st day of October, 1860, amounted to $905,905, but from this should be deducted $150,079.72, funds retained at the United States Treasury and directed to be applied towards the payment of interest on the 500 bonds of this state, issued to and sold by the Real Estate Bank, and which are held by the Secretary of the Treasury in trust for the benefit of the Smithsonian Institution. After making this deduction, the interest remaining due and unpaid on the 1st day of October, 1860, was $755,825.28, and when added to the 899 bonds, will show the liability of the state for the bonds sold by the Real Estate Bank, and interest due on them, was $1,654,825.28 on the 1st day of October, 1860.

"But the bank had an additional liability for principal and interest up to the 1st day of October, 1860, of $267,405.71, on account of the $121,336.59 borrowed by the bank on the 7th of September, 1840, upon the 500 bonds of this state (the Holford bonds), which the bank, in violation of law, hypothecated to the 'North American Trust and Banking Company,' of New York. This company sold the bonds and placed them beyond the control of the state. * * *

"The state has not yet resorted to the mortgaged lands to raise money to pay interest on the bonds. Many of the mortgaged lands have been sold, subject to the mortgage, leaving the right to the state, under the charter and proper legislation, 'to cause to be seized and sold according to law, the property mortgaged, in whose hands soever the same may be found, in the same manner and with the same facilities, as it was seized in the hands of the mortgagor, notwithstanding any sale or change of title thereof, by inheritance or otherwise.' * * * When the bonds of the state were issued to the Real Estate Bank, it was never intended that the people of the state should be taxed to pay the bonds, or the interest on them, for the security which the individual stockholders gave by mortgaging land was, and now is, amply sufficient to protect the state from any loss whatever on account of the bonds issued to and sold by the bank. The lands embrace many of the best and most valuable plantations in the state."

The Legislature to which this message was delivered passed a law providing for the foreclosure of the mortgages given to secure the 1,530 bonds first issued, but made no provision for the mortgages given to secure the 500 bonds issued to the Van Buren branch. Three months after the passage of this act the war between the North and South commenced. During the war, the receiver, Gordon N. Peay, accomplished practically nothing toward closing up the bank's affairs. In 1867-68 an effort was made by the state to foreclose the mortgages on some of the lands, in accordance with the act of 1861. M. W. Benjamin was appointed solicitor-general in July, 1868, and in his first report said:

"The Legislature of 1867 passed an act providing that the solicitor-general might employ some lawyer to assist him in the prosecution of these mortgages.

After the Legislature adjourned Governor Murphy appointed W. W. Wilshire, now chief justice, solicitor-general. He employed E. H. English as assistant attorney to help bring the suits. During the year 1867 they filed 184 suits of foreclosure upon lands mortgaged to secure the bonds issued to the principal bank. * * * In regard to the suits for foreclosure of mortgages given to secure the bonds issued to the principal bank, I have obtained a final decree in —— of these suits and there has been already paid into the state treasury the sum of $29,348.78 upon said final decrees.''

THE HOLFORD BONDS

Much has been said and written about the Holford bonds, yet the subject appears to be imperfectly understood by most of the people of Arkansas. The history of these bonds is as follows: On July 20, 1840, the central board of the Real Estate Bank adopted an ordinance to the effect ''That C. A. Harris, cashier and secretary of this board, be, and he is hereby, appointed agent of this institution, with full power and authority to make arrangements, negotiations and contracts for and on account of the same, to hypothecate, pledge and make conditional and positive sale of state bonds belonging thereto, and to use and pledge the means, credit and assets of the bank, in any way or manner which he may think necessary and proper for the credit and welfare of the institution, * * * hereby conferring upon him full and ample powers and authority to effect the general object of procuring funds to sustain the bank and cause the appreciation of its paper,'' etc.

Clothed with this authority, Mr. Harris took the $500,000 in state bonds, issued for the benefit of the Van Buren branch, and went to New York City, where on September 7, 1840, he obtained from the North American Trust and Banking Company the sum of $121,336.59, depositing the bonds as security for the repayment of the amount. Some time later the North American Trust and Banking Company disposed of the bonds to the London banking house of James Holford & Company, receiving therefor the sum of $325,000. Soon after this transaction the trust and banking company was declared insolvent. This brought James Holford to New York, where on October 2, 1841, he wrote to Governor Yell asking for information as to what steps he should take ''to enforce payment of the dividends due in July last,'' and also ''to recover the money advanced upon those bonds, the greater part of which, it is evident, has already been made over to the Real Estate Bank.''

To this letter Governor Yell replied at length on November 10, 1841. ''To arrive at a proper and satisfactory understanding,'' said the governor, ''in relation to our liability, we have only to look into the authority vested in the Real Estate Bank by the State of Arkansas, and to learn what are the conditions and restrictions imposed by the charter. If the commissioners have not exceeded the authority granted the Real Estate Bank by the charter, then the state is responsible, not otherwise.

''It must be borne in mind that the State of Arkansas is not a stockholder, nor interested in the profits of the institution. She saw proper, through her Legislature, to incorporate this company called the 'Real Estate Bank,' and to aid her citizens she loaned to the corporation her credit, in the shape of bonds,

to enable the bank to raise money for the purpose of banking. She issued her bonds in this instance to the amount of $500,000 and authorized the bank to make sale of them, upon certain express conditions and stipulations, which will in part be found in the ninth section of the charter, forbidding the sale, except they are literally sold (not mortgaged or hypothecated) at par value, thereby securing to the bank the means of payment, operating as an indemnity to the state, by furnishing the bank the full amount of moneys to redeem the bonds. * * * I then assume, without fear of contradiction, that any other disposition made of the bonds, than such as was authorized in the charter, would be a nullity, so far as the state is concerned, without a subsequent confirmation of the same through the Legislature. To admit any other than a strict construction of the authority granted by the charter, it might involve the state in the payment of any illegal contract that the rapacity of banks and the connivance of stock-jobbers might think proper to inflict.

"What are the facts in relation to the hypothecation? It is admitted by the North American Trust and Banking Company, in its agreement with the Real Estate Bank, dated September 7, 1840, that the bonds were placed in her hands as collateral security only, to secure the payment of the sum of $250,000, to be advanced to the Real Estate Bank; and that she advanced on said bonds, at the date of the contract, the sum of about one hundred and twenty thousand dollars only. * * * It would be absurd to suppose, and you mistake the character of our people, if you flatter yourself that they will calmly submit to be taxed to pay the bonds hypothecated to stock-jobbers, to enable the bank to carry on her speculations without authority of law and in express violations of her charter."

Governor Yell has thus been quoted at length, because in this letter he outlined the position occupied by the state throughout all the litigation which followed. Upon the failure of the North American Trust and Banking Company, David Leavitt was appointed receiver in chancery. He sold the Holford claim against the Real Estate Bank to Benjamin D. Whitney, who brought suit against the receiver of said bank, Gordon N. Peay, to recover the face value of the bonds, with accrued interest. The Pulaski Chancery Court held that "Under adjudications entitled to respect, the disposition of the bonds at less than their par value, might be declared illegal and void; but as the bank appropriated to its use the money advanced upon them, it is but just to conclude that she is bound in equity and good conscience to repay the money with interest, upon a redelivery of the bonds."

Had the claimant been willing to accept the decision of the Chancery Court, there is no doubt that he would have received the principal of $121,366.59, with interest up to the time the judgment was rendered by the court. Instead of that he appealed to the Supreme Court, where Chief Justice English affirmed the decision of the Chancery Court in almost the same language, the other judges concurring. Said Judge English: "The ninth section of the charter of the Real Estate Bank prohibited the sale of the bonds of the state at less than the par value thereof. It might be held upon adjudications entitled to respect, that the disposition made of the 500 bonds in question by the agents of the bank to the North American Trust and Banking Company was a transaction illegal and void. But the bank having thought proper to receive and

appropriate to its use the $121,366.59 advanced to its agents by the New York banking company upon a pledge of the bonds, it is but just and reasonable to conclude that the bank thereby became bound in equity and good conscience to repay the money so advanced to it, with interest, upon a redelivery of the bonds."

When the funding bill was before the Legislature in 1868, the amount of the $121,366.59, with accrued interest, was $334,747. Instead of funding this sum, which would doubtless have met the approval of every honest taxpayer in the state, the authors of the funding measure proposed to have the state assume the payment of the entire $500,000 in bonds, which with the interest then due amounted to $1,360,000, or over a million dollars more than the courts had decreed that the state justly owed. The proposition met with so much opposition that the Holford bonds were held in abeyance for several months, though they were finally funded for the full amount of $1,268,000. Some years later the payment of these funded bonds was repudiated by what is known as the "Fishback Amendment," which is mentioned later in this chapter.

SUPREME COURT DECISIONS

On numerous occasions during the career of the Real Estate Bank, the Supreme Court was called upon to decide questions of law connected therewith. The most important of these cases were: Shortly after the assignment to the trustees in April, 1842, the trustees brought an action in the Pulaski Chancery Court to compel the local board at Little Rock to surrender the assets in their hands, but the chancellor declined to interfere on the ground of want of jurisdiction. An appeal was taken to the Supreme Court, and Judges Dickinson and Lacey decided that the assignment was both valid and expedient, Judge Ringo dissenting. Governor Yell, himself a lawyer of ability and former judge, had a motion made to reconsider the case. This produced nothing but a flourish from Judge Dickinson about the "virtue and independence of the judiciary," or, as one man expressed it, "He flew up high and flapped his wings." Judge Dickinson was then a debtor to the bank for a considerable sum, and in the light of his subsequent actions, his "virtue and independence" were more assumed than real. By this decision, the assignment made by the debtors to themselves, for their own benefit, was confirmed, the state and the bondholders—the parties most deeply interested—being deprived of any voice whatever in the management of the trust.

The second case grew out of the act of January 3, 1843, "to settle and liquidate the affairs of the Real Estate Bank," which sanctioned all the important provisions of the deed of assignment and granted the trustees all the additional powers they had asked for; but provided that instead of fifteen trustees (self-appointed), there should be ten elected by the stockholders and five by the General Assembly. It was further provided that, if the stockholders should not accept the act, the Pulaski Chancery Court should appoint ten trustees, who, with the five chosen by the General Assembly, should wind up the affairs of the institution. The General Assembly elected five trustees, but the old trustees refused to recognize their authority. The question was carried to the Supreme Court, which issued a decree on July 29, 1844, forfeiting the charter of the bank.

A third instance where the bank's affairs were before the Supreme Court was in connection with the so-called Holford bonds, which decision has already been given.

Of the 184 suits of foreclosure filed in 1867, mentioned by Solicitor-General Benjamin in his report, some were decided in favor of the state and others were decided adversely, on their merits. By the act of July 15, 1868, the state land commissioner was directed "to attend all sales of lands mortgaged to the Real Estate Bank made by the master in chancery, or other person appointed by the Pulaski Chancery Court to sell such lands, under the decree of said court, upon the foreclosure of the mortgages thereon, and to purchase any or all such lands at such sales for the state; provided, said commissioner shall not purchase any of such lands for the state at a greater price than the amount due and chargeable upon them under the decree of said court."

On October 26, 1880, pursuant to an order of the Pulaski Chancery Court, the receiver of the Real Estate Bank made a list of all lands in his hands, and was directed to offer the same at public sale on January 8, 1881. This order was carried out, and on January 17, 1881, the court ordered that "The estate of the Real Estate Bank having been fully administered, the receiver is directed to turn over to the commissioner of state lands all the accounts, books of the Real Estate Bank, and the mortgages given to the said bank, and all papers and assets now in his possession, and take a receipt for the same."

Thus, after fifty-five years of storm and tempest, Arkansas' first banking institution passed into history. The act of July 15, 1868, was reenacted by the Legislature of 1885, and since that time the remnants of the bank's affairs have been handled by the commissioner of state lands.

STATE BANK OF ARKANSAS

This was the second banking institution chartered by the Arkansas Legislature, the act authorizing its establishment having been approved by Governor James S. Conway on November 2, 1836. The act authorized the issue of 5 per cent bonds to the amount of $1,000,000, which with the suplus to be received from the United States, the 5 per cent derived from the sale of public lands, and the seminary and salt spring funds were to constitute the capital of the bank. The main bank was to be located at Little Rock, with branches at Batesville and Fayetteville. A third branch was afterward established at Arkansas Post.

Unlike the Real Estate Bank, the State Bank had no private stockholders. It was a public trust, created to be the fiscal agent of the state, which furnished its capital, and which alone must assume the responsibility for its debts. The Legislature had absolute power to direct its affairs—a power which, unfortunately for the people of Arkansas, was not always faithfully and intelligently exercised.

Some difficulty was experienced in selling the state bonds bearing only 5 per cent interest, only $100,000 being obtained on the entire issue of $1,000,000 (sixty-nine bonds were sold some months later). It was expected that the surplus to be received from the United States would amount to $382,333, but this fell far short of that amount. Notwithstanding the lack of the ex-

pected capital, the main bank at Little Rock opened its doors for business on August 8, 1837, with Major Jacob Brown, a United States army officer, as president, and John H. Crease as cashier. A special session of the Legislature was convened at Little Rock on November 5, 1837. On the 7th Major Brown laid before the General Assembly a report, showing the amount of capital paid in on the day before to be as follows:

Sale of state bonds	$100,000.00
United States surplus revenue	286,156.49
Five per cent fund	26,725.00
Salt spring fund	127.50
Seminary fund	96.30
Total	$413,105.29

Of this capital, upon which three banking institutions were supposed to do business, $216,725 consisted of specie and United States Treasury drafts, and $196,380.29 in the paper of banks in Kentucky, Louisiana, Mississippi and Ohio —banks which did not pay specie. To give the State Bank a larger working capital, the Legislature on December 18, 1837, passed a resolution authorizing the bank to issue post-notes, payable twelve months after date—not exceeding two dollars in notes for each dollar of capital paid into each branch. On the same day an act was passed authorizing a 6 per cent bond issue of $1,000,000, but did not repeal the act authorizing the first issue of $1,000,000, at 5 per cent, only $100,000 of which had been sold.

This Legislature also authorized the establishment of the branch bank at Arkansas Post. The Fayetteville branch opened on January 12, 1838, with James McKissick president and William McK. Ball cashier. The Batesville branch opened on the 5th of February following, with David W. Lowe as president, and John Ringgold cashier. The branch at Arkansas Post did not open until January 3, 1839. Terence Farrelly was president of this branch and Eugene Notrebe was cashier.

In the meantime the Legislature, by the act of December 18, 1838, authorized a branch to be established at Washington and bonds to the amount of $300,000 issued to provide its capital. The writer has been unable to find any record showing that this branch was ever opened, or the $300,000 in bonds ever issued. The 6 per cent bonds authorized by the Legislature of 1837, amounting to $1,000,000, were sold to the North American Trust and Banking Company, of New York, on August 27, 1838, on terms which gave the bank $300,000 immediately. The $831,000 in 5 per cent bonds unsold were canceled by the act of December 18, 1838.

On November 1, 1839, the bank suspended specie payment. Its outstanding circulation then amounted to $43,420 and it had on hand the sum of $76,678.17 in specie. In his inaugural address on November 6, 1840, Governor Yell said:

"The evils which have resulted to the great body of the community from the late suspension are great and almost insufferable. It is a very striking instance of the radical defects of the entire system. In every government and under every system we may look for revolution in business, consternation and

distress, notwithstanding the country may be otherwise in a growing and healthy condition. * * * So far as the currency of your state is concerned, you have the power to correct the evil. I then respectfully submit the propriety of a thorough investigation into the condition of all the banks, and upon the character of the report should mainly depend the character of your future action. If it is found that they have been managed with fidelity and prudence, it will tend to restore confidence and remove the strong prejudice that now exists in the public mind. If, however, your apprehensions are not lessened by such investigation, your duty to your constituents and justice to the state will require that no further liabilities shall be incurred by the state (for the present at least), with such other conditions and restrictions as will best conduce to bring about a better state of things, or prevent a like suspension in future."

Before the close of the session the Legislature passed an act directing the governor to appoint commissioners to make an investigation. C. F. M. Noland and R. C. Byrd examined the Batesville branch; Mr. Byrd examined the branch at Arkansas Post, and David Walker and Mr. Byrd examined the branch at Fayetteville. In one of the reports the commissioners said: "It is as clear as noonday that the banks of Arkansas cannot do anything in the way of a general banking business for the next five years to come, except to keep a strict watch over debts due to them, keep their bills receivable renewed and the interest paid on our state bonds. If this is not done our credit is lost as a state and we cannot recover it again in fifty years to come. * * * The only way to obtain this object is to call in the branches and concentrate all the business to some one point under the management of a strict directory."

The investigation of the commissioners disclosed that all the branches had been grossly mismanaged, and at least one instance of actual defalcation. A few days before they began their examination at Fayetteville, Mr. Ball, the cashier, reported that some of the books had been stolen. The books were afterward found, but badly mutilated and water-soaked. Consequently they were unable to ascertain the exact amount of the specie deficit, but discovered that blank notes intended for circulation to the amount of $35,350 were missing. "The presumption is," says the report, "that they have been surreptitiously issued by William McK. Ball, the cashier."

In August, 1841, Governor Yell caused the reports of the commissioners to be made public. At the same time he issued an address to the people, in which he said: "I am not aware, nor do I recognize any code either in morals or politics, that would authorize the executive to withhold this information from the public. If it should be considered favorable, it is due alike to the bank and to the country that it should be given; on the other hand, if doubts and suspicion are created as to their condition and management, it is alike my duty, however painful, to lay the subject before the country and leave the consequences to time and the intelligence of the people. And however strong my prejudices may be against the whole system of banking, still, as the executive of the state, it is not my desire to indulge in invective against the banks or their managers, but to present truly and faithfully their condition."

A more thorough investigation of the affairs of the Fayetteville branch was begun in August, 1841, by Mr. Boileau. The following April he reported Mr. Ball's shortage as "$33,279.60, or, if the blank impressions of notes that were

missing ($12,920) be added, in the total amount of $46,199.60." The directors at first refused to believe that the Fayetteville cashier had been guilty of any misconduct, but on March 30, 1842, a newspaper published in Pennsylvania said: "From the statements in the western papers, there seems to be no longer any doubt that William McK. Ball, late cashier of the branch of the State Bank of Arkansas, is a defaulter. He threatened, as our readers may recollect, to visit, with signal punishment, those who had brought this charge against him; but it appears that he has made his final escape into Texas."

The General Assembly which met on November 7, 1842, showed a disposition to cooperate with Governor Yell. An act was passed to place the State Bank in liquidation, the Legislature to elect an executive receiver, financial receiver and attorney for each of the four banks—the main bank and the three branches—to hold office for two years. They were forbidden to make any new loans and required to collect all debts due the bank, giving the debtors the opportunity to pay in ten annual installments. The following were the receivers and attorneys elected:

Bank, Arkansas Post; executive, Samuel Mitchell; financial, W. A. Doherty; attorney, M. W. Dorris.

Bank, Batesville; executive, D. J. Chapman; financial, Thomas S. Drew; attorney, Lewis B. Tully.

Bank, Fayetteville; executive, David G. Harris; financial, James McKissick; attorney, A. B. Greenwood.

Bank, Little Rock; executive, S. M. Rutherford; financial, John H. Crease; attorney, S. H. Hempstead.

These twelve men entered upon their duties in June and July, 1843, and continued to draw their salaries from the state treasury for almost ten years, without accomplishing the purpose for which they had been chosen. The machine was too complex, too unwieldy. One receiver, with power to direct all transactions and directly responsible to the state, would have accomplished more than the whole dozen. According to all accounts, the bank had sufficient assets in 1843 to redeem all the bonds issued by the state for its benefit and to pay back to the state every dollar contributed toward its capital from all sources. But a large part of these assets was dissipated through the management of the hydra-headed receivership. One instance in the shrinkage of assets is seen in the disposal of the bank buildings. The main bank at Little Rock and each of the three branch banks erected buildings, which were sold in 1845 under executions in favor of judgment creditors. The cost of these buildings and the amounts realized from their sales were as follows:

Bank	Cost	Sold for	Loss
Arkansas Post	$16,000	$ 100	$15,900
Batesville	15,000	100	14,900
Fayetteville	7,500	800	6,700
Little Rock	28,000	200	27,800
	$66,500	$1,200	$65,300

When Governor Elias N. Conway came into office in 1852, he brought about a change in the plan for the liquidation of the bank. The responsibility for the

management was settled upon a single receiver. Under the act of January 15, 1857, Governor Conway appointed William M. Gouge and A. H. Rutherford to make a thorough investigation of the bank's condition. They completed their work on October 10, 1858, when they reported "good and available assets" of $72,289.95, and liabilities of $1,167,236.87. Notwithstanding this gloomy outlook, in 1860, in his last message to the Legislature, Governor Conway said:

"The whole number of bonds of the state, sold by the Bank of the State of Arkansas, was 1,169, each for $1,000. One thousand of these were 6 per cent, and 169 were 5 per cent bonds. Up to the 1st day of October, 1860, there had been redeemed, canceled and filed with the state treasurer, 144 of the 5 per cent, and 415 of the 6 per cent bonds. On that day there remained unredeemed 25 of the 5 per cent bonds, which will not be due until the 1st day of January, 1887, and 585 of the 6 per cent bonds, which will become due on the 1st of January, 1868. * * * On the 1st day of October, 1860, the interest due and unpaid on the 610 outstanding and unredeemed bonds amounted to $677,717.50, which sum, added to the principal, not yet due, makes $1,287,717.50; but from this should be deducted the $189,000 before alluded to in connection with the order of the Chancery Court, and then the debt on account of the Bank of the State of Arkansas will be shown to be $1,098,717.50."

Then came the war and the reconstruction era, during which little thought was given to the payment of the state debt, except the funding act passed by the Legislature of 1869, which will be noticed later. The whole trouble with Arkansas' early banks is thus summed up by Gen. W. D. Blocher in his "History of Arkansas Finances":

"What with financial receivers, bank attorneys, suits at law, etc., it is not to be wondered that the assets of both the Real Estate and State banks were squandered and the state the loser to the extent of her bonds issued in aid of the banks. If we describe the whole concern as a swindling operation, we but reecho what events have proved. The officers and stockholders of the two banks were the principal beneficiaries. When we look over a list of assets consisting largely of promissory notes, with worthless sureties, we are amazed. Here was Arkansas, with a population of less than 100,000 souls, no railroads, few steamboat lines and almost inaccessible, with nine banks. The Arkansas Post—then a small village—formerly a trading post; Columbia, in Chicot County, another small village at that time—and both of which have now degenerated into country postoffices—each with a bank and elegant banking houses. Little Rock, Batesville, Fayetteville, Van Buren and Washington—all small places—had their banks, and there was not business sufficient in the whole state to justify even one."

FUNDING THE DEBT

A number of the bonds fell due on January 1, 1868, but the state was without the means to redeem them. The General Assembly met on November 17, 1868, and Governor Clayton said in his message: "I would respectfully recommend that you take steps toward funding the indebtedness by the appointment of a suitable person as commissioner to negotiate with the holders of the bonds; and, upon his action being approved by the proper authority, that the state

auditor and state treasurer be authorized to issue new bonds and cancel the old ones."

Early in the session a bill to fund the state debt was introduced. After much discussion it passed both houses and was approved by Governor Clayton on April 6, 1869. By this act the governor was "authorized and required to fund the debt of the state, consisting of bonds issued by the state to the Real Estate Bank and the State banks, by issuing new bonds of the state, * * * for the sum of $1,000 each, payable thirty years after date and bearing interest at the rate of 6 per cent per annum," etc.

Section 4, the most important section of the act, provided "That the bonds issued in lieu of the 500 bonds issued to the Real Estate Bank, numbered from 1 to 500, inclusive, letter 'A,' dated July 1, 1838, also the bonds issued in lieu of the 500 bonds issued to the Real Estate Bank, numbered from 1 to 500, inclusive, letter 'C,' dated January 1, 1840, shall be dated January 1, 1870, and one year's interest made payable on or before the 1st day of January, 1871, and semiannual interest thereafter, payable on the first day of July and January."

The first series of bonds mentioned in the above section were those held by the United States in trust for the Smithsonian Institution, and the second series were the so-called Holford bonds. All other funding bonds were to be issued and dated upon the presentation of outstanding bonds to the governor, under certain conditions.

According to the report of James R. Berry, state auditor, the condition of the state's indebtedness on account of the Real Estate Bank on October 1, 1868, was as follows:

Principal of 886 bonds outstanding	$ 886,000.00
Interest on same to January 1, 1868	1,129,570.00
Principal of amount received on the 500 bonds hypothecated September 7, 1840, but not included in the above	121,336.59
Interest thereon to January 1, 1868	198,850.51
Total principal and interest	$2,335,757.10

Of the 1,169 bonds issued for the benefit of the State Bank, 728 had been redeemed and canceled. Auditor Berry reported the liability of the state on account of this bank to be as follows on October 1, 1868, the interest running back to July 1, 1841:

Five per cent bonds (25) outstanding	$ 25,000.00
Six per cent bonds (416) outstanding	416,000.00
Interest estimated to October 1, 1868	706,522.00
Total principal and interest	$1,147,522.00

These figures show a total indebtedness on account of the two banks of $3,483,279.10. But the funding bill provided for the full amount of the 500

bonds hypothecated on September 7, 1840 (the Holford bonds), instead of the principal of $121,336.59 and interest of $198,850.51, as reported by Mr. Berry. The State Bank bonds were those directed to be funded at such times as the holders of the old bonds should surrender them to the governor, who was authorized to issue new ones in lieu thereof. After a delay of several months, the Holford bonds were funded according to the provisions of the bill for $1,268,000, making the total funded debt $4,331,092.

RAILROAD AID BONDS

On July 31, 1868, Governor Clayton approved an act of the Legislature which provided that: "For the purpose of securing such lines of railroad in this state as the interests of the people may from time to time require, the faith and credit of the State of Arkansas is hereby irrevocably pledged, and the proper authorities of the state will and shall issue to each railroad company or corporation, which shall become entitled thereto, the bonds of this state, in the sum of $1,000 each, payable in thirty years from the date thereof, with coupons thereto attached for the payment of interest on the same in the City of New York, semi-annually, at 7 per cent per annum, in the sum of $15,000 in bonds for each mile of railroad which has not received a railroad land grant from the United States, and $10,000 in bonds for each mile of railroad which has received a land grant from the United States," etc.

In making application for state aid, railroad companies were required to file in the office of the secretary of state: 1. A map of the road proposed, showing the counties to be traversed, general direction and terminal points. 2. The affidavit of the president or chief engineer, giving the estimated cost of grading the first 100 miles of road. 3. The affidavit of the president or treasurer that the available resources of the company were sufficient to grade 100 miles, or one-third of the entire road. 4. The affidavit of the president and chief engineer that ten consecutive miles of road had been graded, bridged and furnished with ties, ready for the iron rails. 5. And furnish the governor with such other information as he might require with reference to the management, etc. Railroads accepting the provisions of the act were required to have in running order one-fourth of the entire line within two years, and the whole line within seven years after the taking effect of the act. Section 12 provided that at the next general election the people should vote on the question of granting aid to the railroads and "if a majority shall be found to have voted 'Against Railroads,' this act shall be void and of no effect."

At the general election held on November 3, 1868, the majority in favor of granting aid to railroad companies was more than five to one, Arkansas, Union and White counties being the only ones to show a majority against the proposition. Under the provisions of the act, the governor, secretary of state and commissioner of public works were created a railroad commission. Soon after the election they organized and took steps to award state aid to such railroad companies as complied with the law. Powell Clayton, in his "Aftermath of the Civil War," says that bonds were awarded to the amount of $9,900,000. The Cairo & Fulton, the Little Rock & Helena and some other roads afterward declined the state's aid. The bonds actually issued were as follows:

Arkansas Central	$1,350,000
Little Rock & Fort Smith	1,000,000
Little Rock, Pine Bluff & New Orleans	1,200,000
Memphis & Little Rock	1,200,000
Mississippi, Ouachita & Red River	600,000
Total	$5,350,000

The Little Rock, Pine Bluff & New Orleans Railroad was sold under foreclosure in December, 1875, and the purchasers reorganized under the name of the Little Rock, Mississippi River & Texas. The state had already paid some of the interest coupons on the bonds and brought an action in the Pulaski Circuit Court to collect the amount from the new company. The Circuit Court decided that the act providing for loaning the credit of the state to aid in the construction of railroads did not contain any special provision as to when the act should take effect; that it did not take effect until ninety days after the final adjournment of the Legislature, which was on April 10, 1869; that the vote on the question at the election of November 3, 1868, was before the law became effective and was therefore a nullity; that the consent of the people thus expressed, "not having been obtained at an election held for the purpose, in pursuance of law, the bonds of the state in pursuance of said act were issued without authority of law and are void in the hands of innocent holders."

An appeal was taken to the Supreme Court and at the May term in 1877, the decision of the lower court was affirmed. Judge David Walker, who wrote the opinion, said: "We must hold the bonds utterly void. The state is not responsible for them, and, as a consequence, has no debt to be secured by lien, nor has the state any claim upon the road for the coupons paid by her. The road is not responsible for them and is under no obligation to redeem the coupons of void bonds. To pay them was an act of folly on the part of the state."

THE LEVEE BONDS

On March 21, 1871, Acting Governor Hadley approved an act "to provide for the building and repairing of the public levees of this state." This act provided that: "Upon the certificate of the commissioner of public works and internal improvements that any contractor has completed his contract, or any portion thereof, for which he is entitled to draw pay, stating the amount such contractor may be entitled to, the auditor of the state shall issue his warrants, which shall be denominated 'Arkansas State Levee Bonds,' in sums of not less than $50 nor more than $1,000 each, to such contractor, for the amount that said certificate may show to be due him, which bonds shall be payable thirty years from the date of the passage of this act and bear interest at the rate of 7 per cent per annum," etc.

The act also provided that any railroad company that should construct a road bed which should answer the purpose of a levee, should be entitled to receive warrants equal in amount to the expense of protecting the same land from overflow, which amount should be determined by the commissioner of public works and internal improvements. This was certainly a generous attitude

toward the railroad companies. They were given state aid varying from $10,000 to $15,000 per mile to construct their road beds. Then, if the road bed answered the purpose of a levee, the company was paid for it a second time from the public revenues. Of the $3,000,000 in levee bonds issued, three railroad companies received $699,360, and this after having received state aid. Says Gen. W. D. Blocher: "Levees were authorized to be made in many places which were of no practical benefit. Others were commenced and large amounts paid out for them, and afterwards abandoned. It seemed to be the object of the commissioner of public works to issue all the bonds as soon as possible, regardless of the good to accrue to the state."

Subsequently an act was passed making the bonds receivable in payment for swamp and overflowed lands, until the adoption of an ordinance by the constitutional convention of 1874 instructed the commissioner of state lands not to receive them. In 1877 Henry E. Garth tendered J. N. Smithee, state land commissioner, bond No. 2,828 in payment for certain lands, but the commissioner refused to accept it. Garth then applied to the Pulaski Circuit Court for a writ of mandamus, which was granted at the October term in 1877. Smithee then appealed to the Supreme Court, which at the May term in 1878 reversed the decision of the lower court. In his opinion Judge Jesse Turner said:

"The constitution of 1868 provides that each House shall keep a journal of its proceedings and publish the same, the yeas and nays of the members of either House, upon any question, shall be entered upon the journal," etc. Mr. Smithee's attorneys showed that in the House of Representatives the names of those who voted in the affirmative were given, but not the names of those who voted in the negative, and argued that the constitutional provision had not been complied with in the passage of the act authorizing the issuance of the bonds. Judge Turner coincided in this view. "In the case under consideration," said he, "our deliberate opinion is, that in the passage of the supposed act of the Legislature it does clearly appear that an essential and imperative requirement of the constitution was disregarded and we do, therefore, in full view of the great responsibilities resting upon us, and of the far reaching consequences of the decision we make, pronounce the act of March 21, null and void."

THE TEN YEAR BONDS

At the close of the Brooks-Baxter war in the spring of 1874, the Legislature passed an act authorizing the governor to issue bonds of the state to an amount not exceeding $200,000, with interest at 10 per cent per annum, "to pay the expenses of the militia recently called into service to suppress insurrection, and the expense of the present called session of the General Assembly."

The bonds issued under this act were dated July 1, 1874. They were in denominations of $100 and $500 and were made payable in ten years. The full amount of $200,000 was issued and was found insufficent to cover all the expenses provided for by the act. The Legislature at the next session passed an act authorizing the issue of state bonds to the amount of $80,000 to cover the deficit. These additional bonds bore the same date and the same rate of

interest as the original $200,000. The entire additional issue, except $250, was sold, so that on January 1, 1876, there were $279,750 of these so-called "Ten Year Bonds" outstanding. They have long since been paid.

LOUGHBOROUGH BONDS

At the close of the reconstruction regime the state treasury was empty. The revenues of the state had been anticipated by issues of auditor's warrants and treasurer's certificates to the amount of over two million dollars. These evidences of indebtedness—commonly called "State Scrip"—had depreciated until they were worth only about twenty-five cents on the dollar. Part of them bore interest at the rate of 8 per cent per annum and the balance bore interest of 5 per cent. One of the problems that confronted the Legislature which met on November 10, 1874, was to reestablish the state's credit. Early in the session a bill was introduced by Senator J. M. Loughborough, of Pulaski County, providing for the creation of a "State Board of Finance," to be composed of the governor and two persons chosen by the General Assembly on joint ballot. Section 6 of the act provided:

"The said board shall cause to be printed or engraved 2,500 state bonds, each of the denomination of $1,000, payable thirty years from date, with coupons for interest thereto attached, at the rate of 6 per cent per annum, payable on the first days of January and July of each year in the City of New York, or in the City of Little Rock, at the option of the holder."

The board was authorized to sell any of said bonds and to receive payment therefor at par any of the state scrip outstanding, or if sold for money the board should receive not less than 60 per cent of their par value. The act was approved by Governor Garland on December 23, 1874. The board of finance ascertained that money could be borrowed by paying interest of 10 per cent, on condition that the state would deposit some security. On September 30, 1875, the board negotiated a loan of $250,000, provided the Legislature passed an act authorizing the hypothecation of the state's bonds as security. Such an act was approved by Governor Garland on November 16, 1875.

The act of December 23, 1874, provided "that until said bonds, principal and interest, shall have been fully paid off and discharged, there shall be levied an annual tax sufficient to produce the sum of $150,000 for interest and $38,000 for sinking fund, which sums are hereby set apart for the purpose aforesaid, etc."

General Blocher, in his "History of Arkansas Finances," gives the amount of bonds issued under the act as $756,000, of which $256,000 were used for the redemption of outstanding scrip and $500,000 were hypothecated to borrow money. These bonds are known as "Loughborough bonds," because Senator Loughborough was the author of the bill providing for their issue.

PUBLIC DEBT IN 1877

Early in the year 1877 the state board of finance, composed of Governor W. R. Miller, U. M. Rose and F. W. Compton, received a proposition from some of the holders of Arkansas state bonds to compromise the debt. In a special

message to the Legislature on February 13, 1877, Governor Miller presented a statement of the public debt (principal and interest included) estimated to July 1, 1877, to wit:

Floating debt	$ 910,444
Debt due United States	1,737,956
Old bonds unfunded	485,335
New bonds	515,688
New funded debt	4,194,510
Railroad aid bonds	7,157,145
Levee bonds	2,751,118
Total	$17,752,196

The annual interest on the outstanding bonds amounted to almost nine hundred thousand dollars (the railroad aid and levee bonds at this time had not been declared void by the Supreme Court); the assessed valuation of property was only $91,000,000; the tax for general purposes was $793,000, and the current expenses of the state government amounted to $320,000. These figures will give the reader some idea of the financial condition of the state. In a letter to the bondholders' committee that proposed the compromise, Governor Miller said:

"An increase of taxation now is impossible. The Legislature would not sanction it; I would not, and the present condition of our state would not warrant it. Besides, it could not be done without exceeding the constitutional limit of 1 per cent. There exists here a manifest disposition, on the part of some of the members of our Legislature, to ignore a portion of the bonded debt altogether; but if your committee can offer the state practicable and favorable settlement, I cannot but think this unnecessary action may be overcome; for it will clearly be to the interest of the state to make a just compromise and forever get rid of all the evidences of her misfortunes and dishonest government."

The Legislature did not accept the compromise terms offered by the bondholders' committee. In 1879 the General Assembly passed an act to revive the state board of finance, giving it enlarged powers in the matter of issuing and hypothecating the bonds of the state to raise means to support the state government and pay interest on the public debt. At the same session the 6 per cent funded bonds were made receivable for Real Estate Bank lands, except the bonds issued in lieu of the Holford bonds.

THE FISHBACK AMENDMENT

In the Legislature of 1879 William M. Fishback, a representative from Sebastian County, introduced the following amendment to the state constitution, which was adopted by both House and Senate and submitted to the voters of the state at the general election on November 2, 1880:

"Article XX. The General Assembly shall have no power to levy any tax, or make any appropriations, to pay either the principal or interest, or any part thereof, of any of the following bonds of the state, or the claims, or pre-

tended claims, upon which they may be based, to wit: Bonds issued under an act of the General Assembly of the State or Arkansas, entitled 'An act to provide for the funding of the public debt of the state,' approved April 6, A. D. 1869, and numbered from 491 to 1,860, inclusive, being the 'funding bonds' delivered to F. W. Caper and sometimes called the 'Holford bonds'; or bonds known as railroad aid bonds, issued under an act of the General Assembly of the State of Arkansas, entitled 'An act to aid in the construction of railroads,' approved July 21, 1868; or bonds called 'levee bonds,' being bonds issued under an act of the General Assembly of the State of Arkansas entitled 'An act providing for the building and repairing of the public levees of this state,' approved March 23, A. D. 1871; and any law providing for such tax or appropriation shall be null and void."

At the general election in 1880 the amendment received a majority of the votes cast on the question, but it failed to receive a majority of all the votes cast at the election and therefore failed of ratification. The Legislature of 1883 reënacted the amendment, which was again submitted to the voters at the general election on November 4, 1884, when the vote for the amendment was 119,806 to 15,492 against it. On January 14, 1885, the speaker of the house declared it adopted. By this means the Holford bonds, the railroad aid bonds and the levee bonds, the principal of which amounted to over seven millions of dollars, and the interest to nearly as much more, were "wiped off the slate."

Repudiation is an ugly word. Some of the best men and a number of the leading newspapers in the state opposed the amendment, arguing that it was better to suffer a wrong than to do an injustice to those who had purchased the bonds of the state in good faith. There is no doubt that the $121,336 received by the Real Estate Bank in 1840, upon the bonds afterward sold to Holford & Company, with accrued interest, constituted a valid claim against the state. The courts had so held. But the Legislature of 1868-69 saw fit to fund the full amount of $500,000, which with the interest made the debt considerably over a million dollars. For the railroad aid and levee bonds, issued by a reconstruction Legislature, the state could not acknowledge "for value received." These facts were well known to the people of the state, who for once refused to listen to their political leaders and conservative editors. They went to the polls and applied the principle of "caveat emptor" to the holders of bonds which they regarded as an unjust claim against their state.

THE ARKANSAS COMPROMISE

For sixty years after Arkansas was admitted into the Union there was an unsettled account between the state and the United States. When the Real Estate Bank was established, the United States, as trustee of the Smithsonian fund, bought 500 of the bonds, maturing on October 26, 1861, and 38 bonds, maturing on January 1, 1868, to be held in trust for the Smithsonian Institution. As trustee of the Chickasaw fund, the United States invested $90,000 of that fund in Arkansas state bonds. On January 1, 1874, these bonds, with accrued interest, were funded into 252 new bonds, of $1,000 each, bearing interest at the rate of six per cent per annum. The United States also invested $3,000 of the

Chickasaw orphan fund in bonds issued by the state for the benefit of the Real Estate Bank. These several bond purchases, with interest due, constituted the claim of the United States against the State of Arkansas.

On the other hand, Arkansas set up a claim for five per cent of the proceeds arising from the sale of public lands within the state; for certain tracts of swamp, internal improvement and indemnity school lands which had been granted to the state by acts of Congress, but to which the state had never been given a clear title; and for lands patented to the state and afterward sold by the General Government, or allowed to be entered under the general land laws.

For more than a quarter of a century the State of Arkansas tried to secure an adjustment of these claims before any action was taken by Congress. By the act of the Legislature, approved on April 8, 1889, the governor was directed to use his influence to bring about a settlement and was given full power to act for the state. In 1893 Governor Fishback presented claims against the United States aggregating $2,161,067.71, not including the interest paid on bonds prior to 1842, indemnity school lands and five per cent on the value of public lands disposed of under the homestead laws.

On August 4, 1894, President Cleveland approved an act conferring power on the secretary of the treasury and the secretary of the interior to effect an adjustment of the differences. Pursuant to this act, Burton T. Doyle, assistant chief of the warrant division of the treasury department, and George C. Ross, assistant attorney of the interior department, were appointed to visit Arkansas, ascertain the value of the lands claimed by the state, etc., and report. Their report was accepted by the secretaries of their departments and on February 23, 1895, a compromise was effected between John G. Carlisle, secretary of the treasury, and Hoke Smith, secretary of the interior, "parties of the first part," and James P. Clarke, governor of the State of Arkansas, "party of the second part." The settlement as agreed upon was as follows:

DUE UNITED STATES

538	Smithsonian Institution bonds	$ 538,000.00
	Interest on the above	495,583.61
252	Chickasaw funded bonds	252,000.00
	Interest thereon	317,520.00
3	Chickasaw orphan fund bonds	3,000.00
	Interest thereon	5,700.00
	Total	$1,611,803.61

The statement presented by Governor Fishback in 1893 was used as the basis of Arkansas' claims, though five per cent of the net proceeds of the public land sales in the state and a claim for school indemnity lands were added. Upon the recommendation of Burton and Doyle, the Government investigators, several of the items were disallowed, most of the land areas were reduced, and claims to be paid in money were curtailed in amount, leaving the following credits:

DUE ARKANSAS

Withheld by the United States for interest	$ 55,116.10
125,000 acres of swamp land at $1.25	156,250.00
90,400 acres indemnity lands at $5	452,000.00
118,760 acres cash indemnity lands at $1.25	148,450.00
63,920 acres swamp land (claimed) at $1.25	79,900.00
30,000 acres school indemnity lands at $5	150,000.00
1,792.85 acres school indemnity lands at $5	8,964.25
160 acres of court-house and jail grant at $5	800.00
110.97 acres internal improvement lands at $5	554.85
6,223.31 acres seminary lands at $5	31,116.65
67.14 acres state house grants at $5	335.70
3.840 acres salt spring land at $5	19,200.00
278.835 acres swamp land at $1.25	348,544.06
Total	$1,451,231.61

This left a balance of $160.572 due the United States. To adjust this balance Governor Clarke agreed to give to the United States $572 in cash within thirty days and 160 bonds for $1,000 each, payable on January 1, 1900, with interest at the rate of six per cent per annum. The settlement was accepted by the Arkansas Legislature in a concurrent resolution adopted on February 27, 1895.

STATE DEBT, 1921

Between the years 1875 and 1899 the state debt board negotiated a number of loans to meet current expenses, pay interest on the public debt, etc. As outstanding bonds were paid off, these loans were consolidated into a bond issue of $1,438,166.67, due on September 1, 1947, and bearing interest at the rate of five per cent per annum. Of these bonds the permanent school fund of Arkansas owns $1,314,500 and the "University Endowment Fund" owns $123,666.67. While these bonds constitute a lien upon the property of the citizens of the state, Arkansas is both debtor and creditor, the money having been merely borrowed from one fund for the use of another.

For several years prior to 1917 it had been a custom to anticipate the revenues of the state by issuing warrants in advance of the collection of taxes. This practice resulted in deficits, which constantly increased. The legislatures of 1913 and 1915 failed to enact any law to relieve the financial situation. In 1917, upon the representations of Gov. Charles H. Brough and his financial secretary, Van B. Sims, the General Assembly authorized the issue of bonds to the amount of $750,000, bearing 4¾ per cent. interest and payable at the rate of $50,000 annually, beginning on September 1, 1922. For convenience these obligations are caled "deficiency bonds."

There were also outstanding at the beginning of the year 1921 $350,000 of penitentiary bonds, bearing interest at the rate of six per cent. per annum, payable at the rate of $22,000 each year, beginning on June 1, 1926. The deficiency and penitentiary bonds are held by private parties. On January 1, 1921, the state indebtedness was therefore as follows:

Permanent school fund bonds	$1,314,500.00
University endowment fund bonds	123,666.67
Deficiency bonds	750,000.00
Penitentiary bonds	350,000.00
Total	$2,538,166.67

ARKANSAS BANKERS' ASSOCIATION

The movement for the organization of a state bankers' association originated with the Little Rock bankers in the summer of 1891. M. H. Johnson, cashier of the Bank of Little Rock, and Oscar Davis, cashier of the German National Bank, sent out letters to the banks of the state requesting those who favored the organization of an association to permit the use of their names to a call for a meeting for that purpose. Thirty-nine bankers indorsed the plan in letters and their names were signed to a call to meet at the Richelieu Hotel, Little Rock, October 20, 1891.

There were then only about eighty banks in the state. Representatives from a majority of these banks met at the designated time and place. W. B. Worthen, president of the Associated Banks of Little Rock, called the meeting to order and stated its object. The greater part of the 20th was spent in discussion and on the 21st the Arkansas Bankers Association was formally organized by the election of Logan H. Roots, president, and M. H. Johnson, secretary. Owing to the loss of the early records of the association, the names of the other officers cannot be given. C. T. Walker, of Little Rock; W. H. Cates, of Jonesboro; B. J. Brown, of Fayetteville; H. G. Allis, of Little Rock; and S. H. Horner, of Helena, were appointed a committee to draft a constitution and bylaws and the association adjourned to meet on April 26, 1892.

Since its organization the association has been influential in bringing about better relations between the bankers and business men of the state, and in procuring the enactment of laws for the general improvement of banking conditions. In 1921 the association had 492 members. H. L. Remmel, of Little Rock, was then president; Gus Strauss, of Hot Springs, vice president; Henry P. Anderson, of Helena, treasurer; and Robert E. Wait, of Little Rock, secretary; George H. Bell, of Nashville, J. D. McCloy, of Monticello, W. S. Pettit, of Harrison, J. N. Adams, of Altus, W. A. Hicks, of Little Rock, J. A. Mott, of Blytheville, and J. F. Carson, of Yellville, executive council.

At the second meeting of the association, in April, 1892, the executive council reported eighty-three banks in the state, with a total capital, surplus and profits of $6,000,000; loans and discounts of $8,000,000, and deposits of $8,000,000. On July 1, 1921, there were 406 state banks and trust companies, with a capital stock of $16,500,000; surplus and undivided profits of $9,000,000, and deposits of $98,500,000. There were also 88 national banks, with a capital of $68,000,000. Such has been the growth of the banking business in Arkansas $7,500,000; surplus and undivided profits of $4,000,000, and deposits of since the association was organized in the fall of 1891.

CHAPTER XXVII

EARLY TRANSPORTATION

EXPLORERS AND TRADERS—OLD INDIAN TRAILS—THE SOUTHWEST TRAIL—PYEATT'S ROAD—MEMPHIS MILITARY ROAD—OTHER EARLY ROADS—POST ROUTES—EARLY POSTOFFICES—FERRIES—STAGE LINES—RIVER NAVIGATION—THE FIRST STEAMBOAT—FROM 1830 TO 1840—ON THE RED RIVER—ON THE OUACHITA—BOAT BUILDING—STEAMBOAT ACCIDENTS—DISTANCES BY WATER.

There is no doubt that the first white men to set foot upon Arkansas soil were the Spaniards led by De Soto in 1541. About two and a half centuries later came the explorers and Indian traders, who were the first to give to the world anything like an accurate account of the country. The first of these explorers and traders followed the streams, traveling in canoes, and when the actual settlement of the state commenced, the first colonies were located along the principal watercourses, in order that the pioneers might avail themselves of the advantages of water communication.

Where overland travel became necessary the old Indian trails were followed. These trails were mere paths, not passable for wagons, and the traveler must go either on foot or on horseback. It is a remarkable fact that many of the large cities of the United States occupy the sites of former Indian villages, and that the great arteries of commerce today follow routes that were at first only the dim trails of the red man. The Achison, Topeka & Santa Fe Railroad marks the line of the old Santa Fe Trail; the Pawnee Trail, later known as the Overland, is now closely followed by the Union Pacific, and the St. Louis & Iron Mountain (now the Missouri Pacific) was built almost exactly parallel to the

SOUTHWEST TRAIL

One of the oldest routes leading into Arkansas was known as the "Southwest Trail," which began at St. Louis and ran down the Mississippi River via Ste. Genevieve to Cape Girardeau. There it left the river and followed a southwesterly course into the Osage country. Over this old trail passed the Chouteaus, Laclede and other Indian traders, as early as 1765, to exchange their trinkets and gewgaws for the Indians' peltries. One of the earliest ferries across the Mississippi River was established at Ste. Genevieve and this fact brought the Southwest Trail into greater prominence. About the beginning of the Nineteenth Century Congress declared it a military road and made an appropriation for its improvement. It was then completed as far as the present northern boundary of Arkansas. About 1803 or 1804 Hix's ferry over the Current River was established and the road became a thoroughfare for the adventurous, seeking their fortunes in the great Southwest.

Over this road came the founders of Davidsonville and Batesville. It crossed the White River at Tucker's (or MacNeil's) ferry, eight miles below Batesville, and the Little Red River at Britton's ferry, almost due north of the present Town of Searcy, and from that point ran in nearly a direct line to Little Rock. From Little Rock its course was southwest, via Benton, Rockport (now Malvern) and Washington to Fulton on the Red River, which then formed the boundary line between the United States and Mexico. In 1831 President Jackson approved an act of Congress appropriating $15,000 for the improvement of the road through Arkansas. The old trail then took the name of the "National Road" and during the next four years additional appropriations amounting to $45,000 were made for its improvement. From Washington a branch led to Fort Towson in the Indian country.

PYEATT'S ROAD

About 1807 Maj. John Pyeatt, an early settler at Crystal Hill, a few miles up the Arkansas River from where Little Rock now stands, enlisted the coöperation of his neighbors in the project of opening a road from Crystal Hill and Cadron to Arkansas Post. They followed the north bank of the Arkansas River for about fifty miles from Crystal Hill, when they struck an old Indian trail which led directly to Arkansas Post. From that point the work was comparatively easy.

This road is credited by some writers with having been the first in Arkansas. It was no doubt the first constructed by Arkansas labor. Nuttall, who passed over a portion of the road in 1819, mentions it in his journal. It afterward became a link in the military road from Memphis via Little Rock to Fort Smith.

MEMPHIS MILITARY ROAD

The Territorial Legislature of Arkansas, which met on February 7, 1820, petitioned President Monroe and Congress for aid in opening roads in the territory, particularly "a road from some point on the Mississippi River to Little Rock," but nothing was done at that time. Robert Crittenden, as acting governor, in a message to the Legislature of 1823, complained that Congress had long neglected Arkansas. "We have," said he, "respectfully asked only what should have been conferred upon us at the organization of the territory. To all our petitions an inflexible silence is preserved. The liberality and munificence so conspicuous in the cases of Florida, Michigan and Missouri has never been extended to our territory, but, in lieu thereof, we have seen vast numbers of our citizens driven by order of the Government out of their lawful habitations and possessions to make room for various tribes of Indians. Such proceedings are without a parallel in American annals."

It is quite likely that Mr. Crittenden had in view the advancement of his own political fortunes as much as the advancement of transportation facilities in the new Territory of Arkansas. However that may have been, the time was close at hand when Congress was to act. One of the most influential men in securing roads for the Southwest was Thomas H. Benton, United States senator from Missouri. In 1824 he championed the act providing for the improvement

of the old Santa Fe Trail, and the same year he coöperated with Henry W. Conway, delegate in Congress from Arkansas, in obtaining an appropriation of $15,000 for a military road from Memphis to Little Rock, ultimately to be extended up the Arkansas River to Fort Smith and Fort Gibson.

The survey of the road from Little Rock to Memphis was completed early in 1826 and in April Lieutenant Griffith, who had charge of the enterprise, let four contracts to A. Carr, N. Anderson, W. Irwin and a Mr. Hunt, respectively. By July 1, 1827, sixty-four miles of the road were completed, when it was found that the appropriation was not sufficient. Congress then appropriated $9,065, which with the unexpended balance was supposed to complete the road "westward from the house of William Strong on the River St. Francis."

In September, 1827, Lieutenant Griffith was superseded by Lieutenant Thomas, who changed the route, making it some sixteen miles longer, but over better ground. New contracts were let on the condition that the road was to be finished by March 15, 1828. It was completed after a fashion—that is the timber was removed from the roadway and ditches cut at the sides, according to specifications, but it was far from being a perfect highway. The Government, having built the road, expected the people of Arkansas to keep it in repair, but they failed to do so. Governor Pope passed over the road in the early fall of 1829, when he brought his family from Kentucky to Little Rock, and in his message to the Legislature in October, declared part of the road a disgrace. (See Chapter IX). He suggested that it be turned over to a company with power to collect tolls sufficient to keep it in repair.

In the spring of 1832 Governor Pope was in Washington and appeared before the committee on territorial affairs to support Mr. Sevier's measure appropriating funds to improve the road. In that year Mr. Sevier succeeded in getting an appropriation of $12,000 for the road from Washington through Little Rock to Jackson (the Southwest Trail), but it was not until July, 1832, that the $20,000 asked for the Memphis road were appropriated. The following year an appropriation of $100,000 was made, and a similar sum was granted two years later. Most of this money was expended during Governor Pope's administration and under his personal supervision. The total amount expended by the Government on this road was about a quarter of a million dollars.

An appropriation of $10,000 was made by Congress in 1825 "to clear the road of timber and brush and make it otherwise fit for travel," between Little Rock and Fort Smith. Contracts were let by Lieutenant Dawson—in five-mile sections—in July, 1827, to be completed by the 1st of the following December. When this work was finished a deficit of $5,500 was incurred, because the distance was greater than that estimated, and this deficit was covered by an appropriation. The road from Fort Smith to Cantonment Gibson, a distance of fifty-six miles, was opened by the soldiers stationed at the cantonment.

OTHER EARLY ROADS

Darby's map of 1816 shows a "Trace from Natchitoches to Hot Springs." At Hot Springs this trace connected with a road to Little Rock. Maj. Stephen H. Long passed over this road in 1820. In his report he says: "A few of the roads which traverse the country from the Mississippi to the upper settlements

of the Red River and the Arkansas have been sufficiently opened to admit the passage of wagons," but the road between Hot Springs and Little Rock, via Lockhart's settlement on the Saline River, especially that part between Lockhart's and Little Rock, he describes as "an obscure path."

One of the oldest maps of Arkansas is that published by S. A. Mitchell in 1836, the year the state was admitted into the Union. It shows all the principal roads then in existence, to wit:

1. A road running westward from Point Chicot on the Mississippi River, via Ecore Fabre (now Camden), to Washington, where it connected with the military road to Fort Towson and the national road running north and south. 2. A road from Jackson, Lawrence County, running westward by Izard Court House, Carrollton, Fayetteville and Cane Hill to Fort Smith. 3. A road from Little Rock by way of Hot Springs to Greenville, where it intersected the national road. The old Town of Greenville was located about fifteen miles west of Arkadelphia. 4. A road from Batesville southwest by way of Clinton to Lewisburg (now Morrillton) on the Arkansas River, where it connected with the military road to Fort Smith and Little Rock. 5. A road down the south side of the Arkansas River from Little Rock to Pine Bluff, thence to Bartholomew postoffice near the present Town of McGehee, and from there southward to the old post of Washita (now Monroe, Louisiana). 6. From St. Francis, near the present Town of Wittsburg, on the Memphis military road, a road ran southwest to Mouth of the Cache postoffice (now Clarendon), and another ran northwest to Litchfield and Batesville. There were also a few local or neighborhood roads, but the above constituted the principal thoroughfares.

POST ROUTES

The first post road in Arkansas was authorized by act of Congress, approved on April 30, 1816. It started at St. Louis and ran southward via Potosi and Lawrence Court-House (Davidsonville) to Arkansas Post. The second was created by the act of March 3, 1819, just one day after Arkansas Territory was established. It ran from Cadron, about twelve miles up the Arkansas River from Little Rock, via Clark Court-House and Hempstead Court-House to Washita Court-House (now Monroe), Louisiana.

While Arkansas was still a part of Missouri the Government adopted the policy of establishing postoffices for the accommodation of the ever increasing population. The first postoffice within the present limits of the state was established at Davidsonville in June, 1817, and the second was established at Arkansas Post the following month. The Gazette of December 16, 1820, published the following list of postoffices and postmasters:

Arkansas Post, Eli J. Lewis; Cadron, Thomas H. Tindall; Clark Court-House, Jacob Barkman; Crystal Hill, Edmund Hogan; Davidsonville, Richard Searcy; Fourche de Thomas, P. R. Pitman; Hempstead Court-House, John English; Hopefield, Benjamin Fooy; Little Rock, Amos Wheeler; Mississippi, James S. Petty; Mount Prairie, James M. Stewart; Point Chicot, Peter G. Bennett; White Run, Peyton Tucker.

In the Gazette of July 29, 1829, William T. Barry, then United States post-

master-general, advertised for proposals for carrying the mails over the following Arkansas routes:

1. A weekly mail between Memphis and Little Rock over the military road, a distance of 140 miles.

2. A weekly mail between Memphis and Greenock, 18 miles up the Mississippi River, in the northeast corner of Crittenden County.

3. A mail once in two weeks over the route between Batesville and Izard Court-House, 50 miles. Izard Court-House was located at the mouth of the north fork of the White River, in what is now Baxter County.

4. A weekly mail from Little Rock to Nicksville, 140 miles, via Crystal Hill, Stanley's Mills, Cadron, Peconery, Dardanelle, Dwight, Short Mountain and Crawford Court-House.

5. A weekly mail between St. Francis and Helena, via Mouth of the Cache postoffice (now Clarendon), a distance of 65 miles.

6. A weekly mail between Little Rock and Miller Court-House (now in Texas), 215 miles, via Clark Court-House and Hempstead Court-House.

7. A mail once in two weeks between Hempstead Court-House and Natchitoches, via Lost Prairie and Allen's Settlement, 175 miles.

8. A mail once in two weeks between Arkansas Post and Villemont, a distance of 70 miles.

9. A weekly mail between Little Rock and the Post of Washita (now Monroe), Louisiana, 180 miles, via Pine Bluff and Bartholomew postoffice in what is now Desha County.

10. A weekly mail between Greenville, Missouri, and Batesville, via Cummington, Hix's Ferry and Davidsonville, a distance of 124 miles.

There were also post routes from Batesville to Little Rock, 104 miles, via White Run postoffice; from Little Rock to Arkansas Post, 120 miles; and from Memphis, via Webb's Ferry on the St. Francis River and Mattock's Ferry on the White River, 140 miles. Contracts for carrying the mails over these routes had been let as early as 1823.

Many of the early post roads were nothing more than "blazed trails," or bridle paths through the woods. The perils and hardships of the mail carriers can scarcely be described. Even where mails were due to be delivered once in two weeks, floods, etc., often interfered to render their delivery uncertain. As an example of the difficulties encountered by the pioneer mail carrier, note the following item, which appeared in the Gazette of March 25, 1823:

"We learn by a person who left Arkansas (Post) about ten days ago, that Mr. Horace P. Hyde, who has been engaged in carrying the mail between Arkansas and the Chickasaw Bluffs, since the establishment of that route, is supposed to be drowned. He left the mouth of the White River about three or four weeks since, with the mail, in a canoe, for Arkansas and has not been heard of since. The canoe, however, was found the next day after he started, in the cut-off between the Arkansas and the White rivers. The mail, together with Mr. Hyde's pocket-book containing about $500 in money, which had been intrusted to him to convey to Arkansas, and some articles of wearing apparel, were found in the canoe and have all been delivered to the postmaster at Arkansas."

FERRIES

Before permanent roads were opened and bridges built, the most popular way of crossing streams, where they were not fordable, was by means of ferries. The Legislature of the Territory of Missouri granted licenses to operate ferries over some of the Arkansas rivers before the Territory of Arkansas was organized. After the territorial government was established in 1819, there was not a session of the Legislature for several years in which applications for permission to operate ferries were not heard and licenses in most cases were granted.

Among the most historic of these ferries were: Hix's, over the Current River near the northern boundary of the state; Webb's, over the St. Francis a few miles from the mouth, on the road between Memphis and Helena; Mattock's, over the White River on the boundary between the present counties of Arkansas and Phillips; Tucker's, over the White River eight miles below Batesville, which was later operated by a man named MacNeil; and Shields', over the White River at the northeast corner of the Cherokee country, on the present boundary between Independence and Stone counties.

On July 26, 1836, Woodruff & Mills advertised that they had "received and now have in operation at their ferry, at the lower landing, Little Rock, a large, new and substantial horse-boat, of sufficient size to transport with perfect safety the largest and heaviest loaded wagons," and that their rates were generally lower than those charged at other ferries across the Arkansas River.

The first steam ferryboat on the Arkansas River was placed in commission at Little Rock on June 27, 1838. It was built at Cincinnati under the personal supervision of Capt. T. J. Halderman, former master of the packet "Arkansas," and was named the "Little Rock." The boat was 86 feet long, with a beam of 33 feet, provided with a powerful engine and a comfortable cabin for passengers, and was capable of carrying two large wagons and teams at a time, or three or four smaller vehicles. It made the trip from Cincinnati in eight days and eighteen hours.

STAGE LINES

Before the advent of the railroad, the most popular and convenient mode of overland travel was by means of the stage coach. The first stage route in Arkansas was that established by Wright Daniels between Little Rock and Arkansas Post in the fall of 1826. Mr. Daniels had the contract of carrying the mails between the two points and put on coaches for the conveyance of passengers. The coach left Little Rock every other Tuesday at noon and arrived at Arkansas Post the following Thursday in the evening. Returning, it left the Post on Friday morning at eight o'clock and arrived in Little Rock on the following Monday about 10 A. M. The fare for the through trip, one way, was $8.00 and each passenger was allowed to carry fourteen pounds of baggage. Joseph Henderson was the agent at Little Rock and Eli J. Lewis, at Arkansas Post.

In the spring of 1827 the postmaster-general announced the intention to put on a line of mail and passenger coaches between Nashville, Tennessee, and Little Rock, Arkansas, via Memphis, and that all Arkansas mail from the east would

be carried over this route. It does not appear that the coaches were placed in operation until the early part of the year 1831. Then Mr. Spalding, the mail contractor between Little Rock and Memphis commenced running a weekly line of stages over the old military road. This line continued in operation until the breaking out of the Civil war in 1861. It was then in the hands of Hanger, Rapley & Gaines, mail contractors.

A stage line was established in January, 1835, between Little Rock and Bainbridge, on the Mississippi River, in Southeastern Missouri, where connection was made with the stage line running to Shawneetown, Illinois. The time from Little Rock to Bainbridge was seven days and the fare was 6¼ cents per mile. Each passenger was allowed to carry twenty pounds of baggage free; all baggage over twenty pounds was charged 6¼ cents per mile for every 150 pounds.

During the summer and fall of 1835 a Mr. Jeffries ran an "accommodation hack" between Little Rock and Hot Springs, making regular trips. This was the first regular communication between the two points, but in the fall of 1835 Charles Caldwell mail contractor, established the "Eagle State Line." The Gazette of October 16, 1835, said: "The mail stage from this place to the south left this place on Monday morning last in an ox cart—a bag of salt on one side and the big mail bag on the other—with all available space filled up with notions like a Yankee schooner. The escort was a negro and a boy about eight years old."

This description certainly was not very inviting to the traveler, but it was not long until better accommodations were provided. Early in the year 1836 B. F. West advertised that he had "two closed carriages and good horses to run regularly between Little Rock and Hot Springs, or to any other point in the territory when requested." Mr. West established his headquarters at the Jeffries Hotel and from this time on regular communication was maintained between Hot Springs and the capital city.

In May, 1836, the West line had a competitor in William Barkeloo, who informed the public that he had a nine-passenger coach, with four good horses, and a carriage for four persons, drawn by two horses, which he expected to run between Hot Springs and Little Rock, or "to any point in the territory, where the roads will permit, when desired." His advertisements also stated that it was his intention, when the water in the Arkansas River was low, to run at least one of his coaches between Hot Springs and the mouth of the Arkansas, via Little Rock.

Beall & Richmond, mail contractors, established a stage line between Little Rock and Washington, Hempstead County, in January, 1838. This line carried many passengers who were on their way to Texas.

Another stage line which began operations in 1838 was that between the old Dwight Mission and Fort Smith. The proprietor of this line was John Howell. It was equipped with good coaches, drawn by four horses. The coaches left each terminus on Wednesdays and Saturdays. In 1840 it was extended down the river to Lewisburg and the next year to Little Rock.

In December, 1838, a combination transportation line—stage and steamboat—was opened between Little Rock and the mouth of the White River. The United States mail packet left the mouth of the White every other morning and

ascended the river to Rockroe, where connection was made with a line of "elegant Troy coaches" for Little Rock. In the opposite direction, passengers could leave Little Rock by the "elegant Troy coaches" every other morning and meet the packet at Rockroe. The Little Rock office was in the Jeffries Hotel and the one at the mouth of the White was in Smith's Hotel. The time required for the trip was thirty-four hours. Rockroe was located on the White River a short distance below the present Town of Clarendon.

B. Lofland & Company started a regular line of stages between Little Rock and Batesville about the beginning of the year 1839. Troy coaches left Little Rock and Batesville at the same hour on Tuesdays, Thursday and Saturdays, two days being required to make the trip. Under different ownership and management, this line continued in operation until the beginning of the Civil war.

It would be impossible to give an account of every stage line in Arkansas. The above are typical of the early transportation routes. A line between St. Louis and Van Buren was established in 1842. Snapp & Hanger established what was known as the "Southern Line" between Little Rock and Washington, via Hot Springs, in 1849. This firm was succeeded the following year by Richard Chichester, who had the contract for carrying the mail between Little Rock and Arkadelphia. The line continued in operation until the building of the St. Louis & Iron Mountain Railroad.

RIVER NAVIGATION

A small steamboat called the "New Orleans" was the first to navigate the western waters. It was built at Pittsburgh, according to plans made by Robert Fulton, was 116 feet long and 20 feet wide, and cost about forty thousand dollars. In October, 1811, this little boat left Pittsburgh and arrived at New Orleans the following January.

Before the introduction of steam navigation, and for some time after the steamboat made its appearance, freight was transported by means of flatboats and keelboats. A few men would band themselves together, build a floatboat at some point on the Arkansas River, load it with a cargo of furs, cotton and other produce and float down to New Orleans. There the cargo would be exchanged for merchandise, machinery for cotton gins, grist mills, etc. The unwieldy flatboat would then be sold and a keelboat purchased for the return trip. This journey (going and returning) covering a distance of some two thousand miles, could be performed in about three months.

After steamboats began to ply regularly on the Mississippi, goods consigned to Little Rock and other points in the interior were unloaded at the mouth of the White River and stored in warehouses until they could be transported in keelboats up the Arkansas River. These keelboats would usually make the round trip from Little Rock to the mouth of the White River in from two to three weeks. The "Robert Morris" on her first voyage, in April, 1822, made it in nine days, which caused her owners to advertise the "fastest keelboat in Arkansas."

The first steamboat to ascend the Arkansas was the "Comet," which arrived at Arkansas Post about 10 o'clock P. M. on March 31, 1820. Although the hour was late, a considerable number of the inhabitants gathered at the landing and

extended a cordial welcome to Captain Byrne, who reported that he had made the trip from New Orleans in eight days.

Hempstead's "Pictorial History of Arkansas" (p. 217) says: "In June, 1828, the first steamboat to navigate the Arkansas River ascended the river, reaching Little Rock on the 24th day of that month. It was the steamer 'Facility', commanded by Capt. Philip Pennywit."

In this statement the author is several years behind the times. The "Comet" made its first trip to Arkansas Post in the spring of 1820 and arrived there on its second voyage on January 27, 1821. The "Eagle," Captain Morris, arrived at Arkansas Post on April 6, 1821, having left New Orleans on the last day of March. Regarding the first steamboat to reach Little Rock, the Gazette of March 19, 1822, notes the arrival of the "Eagle," commanded by Captain Morris, on the 16th, seventeen days from New Orleans. The boat arrived early in the morning and Captain Morris fired a salute to arouse the town. After a stop of about an hour, the "Eagle" proceeded up the river for Dwight Mission. On account of low water she was compelled to unload about ten miles below the mission and on the 19th arrived at Little Rock on the return voyage to New Orleans.

On April 10, 1822, the "Robert Thompson," Captain Dohrman, arrived at Little Rock loaded with army supplies and bound for Fort Smith. The "Thompson" was from Pittsburgh, carried a number of passengers and had two keelboats in tow. After a short stop she proceeded on her voyage, reached Fort Smith in safety, and on April 25, 1822, again stopped at Little Rock on her way down the river. During the first half of 1822 this boat made four trips from the mouth of the White River to Fort Smith.

Late in the year 1825 the "Spartan," Captain Reno, passed up the river to Fort Smith. In a low stage of water she ran aground near Fort Smith and lay there for several weeks "waiting for a rise." She finally got off and arrived at Little Rock on March 9, 1826, on the way to the Mississippi. This boat made another trip up the Arkansas in June, 1826, and brought newspapers from New Orleans.

The "Superior," Captain Charadon, arrived at Little Rock on May 30, 1826, two weeks out from New Orleans, with a keelboat in tow and a cargo of army supplies for the troops at Fort Gibson. The "Superior" was of heavier draft than most of the boats on the river at that time. She managed to deliver her cargo at its destination, but there is no record that she ever attempted a second trip up the Arkansas.

Three boats were at Little Rock at the same time in April, 1827. They were the "Catawba," Captain Havenden, from New Orleans, loaded with freight for Little Rock and Dwight Mission; the "Velocipede," Captain Ray, and the "Scioto," Captain Gilchrist, both from Louisville carrying army supplies to Fort Gibson. All three of the boats left on April 17, 1827, and returned down the river the following month.

By this time the Little Rock merchants were ordering goods to be shipped by steamboat. On May 21, 1827, the "Highland Laddie," Captain McCallum, arrived from New Orleans with freight consigned to sundry merchants of Little Rock and passengers bound for Hot Springs.

Late in January, 1828, the "Facility," Captain Pennywit, passed up the

river and on February 13, 1828, arrived at Little Rock on the return trip loaded with cotton, hides, furs and about five hundred barrels of pecans. Most of this cargo was obtained in Crawford County. The assurances received by Captain Pennywit led him to make the announcement that he would continue to ply on the Arkansas for the remainder of the season, if sufficient business should be offered, and if the stage of water would permit. On December 21, 1828, the "Facility" arrived at Little Rock on her second trip up the river, bringing goods for Little Rock merchants and towing a fleet of keelboats carrying 200 Cherokee Indians.

Among the steamboats to touch at Little Rock in 1829 was the "James O'Hara," Captain Stewart, which arrived from Louisville on the 12th of April with army supplies for Fort Gibson. She returned to New Orleans with a cargo of furs, etc. As this boat drew about six feet of water when loaded, Captain Stewart found the navigation of the Arkansas difficult and it does not appear that a second voyage was ever attempted. Although the Arkansas River was lower in 1829 than it had been for years, the "Facility" made regular trips as high as Fort Gibson until about the 1st of July.

In 1829 the United States Government employed Captain Shreve to remove the snags from the Mississippi. For this purpose he used the "Heliopolis," a powerful boat which could run at full speed against the snags and break them down. He was working at the mouth of the White River in August.

The "Facility" was a boat of some sixty tons—a little too large for the certain navigation of the Arkansas—and in the latter part of 1829 Captain Pennywit obtained the "Waverly," a vessel of lighter draft. With this boat he made regular trips during the year 1830. Late in December he took the "Waverly" up the White River as far as Batesville, arriving there on January 4, 1831. This was the first attempt at steamboat navigation on the White River, but from that time until the completion of the railroad in 1883, the people of Batesville depended largely upon river transportation.

Capt. Philip Pennywit has been called the "father of steamboating in Arkansas." He was born in 1793 in the Shenandoah Valley, Virginia, and before steamboating on the Mississippi River began he was engaged in the keelboat trade. He built the first steamboat ever constructed in Cincinnati and named it after that city. About 1828 he came to Arkansas in command of the "Facility" and continued as a riverman until 1847, when he retired and became a member of the mercantile firm of Scott, White & Company, with which he was connected as early as 1843.. He continued in that business until after the breaking out of the Civil war. In 1863 he removed to Little Rock with Charles G. Scott, his partner in business. Captain Pennywit was a bachelor and made his home with Mr. Scott until his death on January 9, 1868, as a result of a paralytic stroke about two years before. His remains were buried in Fairview Cemetery at Van Buren.

FROM 1830 TO 1840

Without attempting to give a history of every steamboat that ran on the Arkansas and White rivers during the decade from 1830 to 1840, the advertisements in the files of the Gazette show the following: "Reindeer," Captain

Miller, began running in 1831; "Laurel," Captain Smith; "Arkansas," Captain Thompson; "Little Rock," Captain Rudd; "Volant," Captain Kelley; "Eagle," Captain Bigelow; "Neosho," Captain Pennywit; "William Parsons," Captain Tunstall; "Ottawa," Captain Page; "Tom Bowling," Captain Smith; "Veteran," Captain Van Houten; "Navarino," Captain Buckner; "Gallipolis," Captain Hereford; "Arkansaw," a new boat, Captain Halderman; "Tchula," Captain Smith; "Spy," Captain Clarkson; "Laurel," Captain Guess; "Industry," Captain Gaskill; "Little Rock," Captain Pennywit; "Revenue," Captain Moore; "Florida," Captain Hicks; "General De Kalb," Captain Lemon; "Itasca," Captain Boyd; "Liverpool," Captain Huston; "Ozark," Captain Hosea; "Express," Captain Speaks; "Tecumseh," Captain McCullough; "Cinderella," Captain Stephenson; "Trident," Captain Irwin; "John Jay," Captain Mason; "Siam," Captain McKenzie; and perhaps eight or ten others.

The "Little Rock" was built expressly for the Arkansas River trade and was owned by citizens of the town after which she was named. She was placed in commission in the fall of 1832. On February 20, 1834, while on her way to Fort Gibson, she struck a snag about three miles below Lewisburg (Morrillton), which stove a hole in her hull. By skillful management the passengers, crew and most of the cargo were saved. The boat was afterward repaired and in April, 1840, was sold to Captain Buckner for the Ouachita River trade.

After the Civil war steamboating on the Arkansas was revived and carried on successfully for several years. During the twelve months ending on March 31, 1871, there were 458 steamboat arrivals and departures at the port of Little Rock. A few years later the railroads came into competition, and still later the diversion of so much water from the Arkansas for irrigation purposes in Western Kansas and Colorado rendered navigation more difficult and the steamboat gradually disappeared.

ON THE RED RIVER

For many years steamboat navigation on the upper Red River was impossible, on account of what was known as the "Great Raft". Early in June, 1831, Col. B. R. Milan, of Lost Prairie, purchased the "Alps," a small boat with powerful engines, and before the close of that month succeeded in passing the "raft" with two keelboats in tow loaded with supplies for Camp Phoenix, the new military post at the mouth of the Kiamichi River. The passage was attended with so much risk, however, that Colonel Milan did not care to repeat the experiment.

Lewis Cass, secretary of war, in his report for 1835, asked for an appropriation to remove the obstruction. He estimated the cost of removal at $187,700, including $23,000 already expended in unsuccessful efforts. Congress made the appropriation and Captain Shreve was commissioned to superintend the work of removing the raft. His work was evidently well done, for the Gazette of March 21, 1838, said: "A passage has been effected through the Great Raft of the Red River. Two steamboats have passed through the opening and one of them (the "Indian") arrived at Fulton on the 13th, laden with merchandise and other supplies for the merchants residing above that hitherto great obstruction to the navigation of the Red River."

This was really the beginning of steamboat traffic on the Red River. Al-

though the raft was not entirely removed until some years after the close of the Civil war, the Shreve passage was kept open and boats ran regularly to points as high as the mouth of the Kiamichi.

ON THE OUACHITA

As early as 1820 a Captain Brown was running a flatboat on the Ouachita River between Blakeleytown and Camden. The first steamboat on the Ouachita was a small sidewheeler called the "Dime." It was owned by Jacob Barkman and in the late '30s began making regular trips between Blakeleytown and New Orleans. It was not long until the "Dime" had competitors in the "Arkadelphia City," "Bluelle," "Joe Jakes," "O. K." and "Will S. Hays." The "Little Rock," purchased by Captain Buckner in 1840, was also used for several years on the Ouachita.

The opening of steamboat navigation on the Red and Ouachita rivers proved a great boon to the planters of Southern Arkansas, who were thus enabled to find an outlet for their cotton, etc., by way of the New Orleans markets.

BOAT BUILDING

A small steamboat called the "Enterprise" was built at Fulton in the late '20s for the navigation of the upper Red River. At that time the great raft in the river was regarded as an insurmountable obstruction and the intention was to operate the "Enterprise" above the raft and there transfer freight to the boats plying on the lower portion of the river. The venture proved to be a losing one, as the population on the upper river was too sparse to support such an undertaking and the expense of transferring freight at the raft was greater than had been anticipated. After a few trips the "Enterprise" ceased operations.

The first boat built on the Arkansas was constructed by Brown & Rogers of Lewisburg (Morrillton). It was commenced in the fall of 1840 and in March, 1841, the hull was floated down to De Cantillon (North Little Rock), where the machinery was installed, the cabin and state rooms finished, etc. The Gazette suggested that the boat be christened the "Governor Yell," but the suggestion evidently was not accepted, as no mention of such a boat can be found in the river annals, and the writer has been unable to learn the name of the boat.

STEAMBOAT ACCIDENTS

Prior to about 1850 the steamboat lacked much of being perfect in construction, the captains and pilots were not yet thoroughly acquainted with the currents and sandbars of the rivers, and accidents were much more frequent than in later years, when a better type of boat was built and the navigators learned the lessons of experience. A few typical disasters are given below.

On May 11, 1834, the "Ottawa," on her way up the Arkansas River, struck a sunken snag near Barraque's bar, about seventy miles below Little Rock, and sunk in shallow water in two minutes. The passengers and crew were saved, but the cargo was lost and the boat was badly damaged.

About the same time the "Sea Gull," bound for Fort Smith, ran upon a sunken snag about eight or nine miles below Little Rock and sunk in about twelve feet of water. Crew and passengers succeeded in getting to land, but the latter lost most of their baggage. Much of the cargo was afterward saved, but in badly damaged condition. The boat was a total loss. Congress made an appropriation of $15,000 in 1830 to remove the snags from the Arkansas, but the accidents to the "Ottawa" and "Sea Gull" occurred before the work was done.

In March, 1835, the "Tom Bowling," which had been running on the Arkansas but had been transferred to the Ouachita River trade, struck a snag at the head of Tunica bar in the Mississippi and sank. She was loaded with merchandise consigned to merchants in Camden and Washington, most of which was lost. The boat was afterward raised and repaired.

On March 11, 1835, the "Veteran," bound for Fort Gibson, struck a submerged rock just below the mouth of Fourche la Fave. Captain Van Houten succeeded in running the boat upon a bar so that passengers and crew, with most of the cargo, were saved.

In June, 1836, the boilers of the "Rob Roy" exploded near Columbia, Chicot County. Twenty-two persons were killed, among whom were a woman and her two children, and fourteen others were badly scalded or otherwise injured.

On the evening of March 9, 1838, the "Liverpool," running between Little Rock and Memphis met with a serious accident about three miles above Montgomery's Point. Captain Huston was trying to break all previous records and was crowding his boat to the utmost. The pipe connecting the boilers and engines burst under the excessive steam pressure scalding eleven persons. Four of the passengers, alarmed at the cloud of steam which enveloped the boat, jumped overboard and were drowned.

One of the worst disasters on the Arkansas River occurred on December 3, 1840. The "Cherokee," bound for Fort Gibson, landed at Lewisburg (Morrillton) to land passengers. Soon after landing the boilers exploded. Seventeen persons were killed and about twenty were seriously injured. One man was thrown high in the air and fell some distance from the landing. The boat and most of the cargo sank in fifteen feet of water and were totally lost.

DISTANCES BY WATER

For the benefit of the traveling public, Mitchell's map of Arkansas, published in 1836, gives the distances from Little Rock to various places that could be reached by steamboat. In the following tables the first column of figures shows the distance from one place to the next and the second shows the total distance from Little Rock. The first table gives the distances to New Orleans. From Little Rock to

Pine Bluff	150	
Arkansas Post	96	246
Mouth of the Arkansas	62	308
Point Chicot	60	368
Vicksburg	167	535

Grand Gulf	53	588
Natchez	63	651
Mouth of the Red River	70	721
New Orleans	225	946

Passing up the Mississippi and Ohio, the distances were as follows:

Mouth of the White River	286	
Helena	70	356
Memphis	84	440
New Madrid	137	577
Mouth of the Ohio	66	643
Shawneetown	129	772
Henderson	50	822
Louisville	197	1,019
Cincinnati	143	1,162
Maysville	66	1,228
Portsmouth	47	1,275
Marietta	175	1,450
Wheeling	86	1,536
Steubenville	23	1,559
Pittsburgh	73	1,632

In the above table the distance from Little Rock to the mouth of the Ohio is given as 643 miles. From that point to St. Louis the distances were:

		From Little Rock
Cape Girardeau	41	684
Bainbridge	10	694
Ste. Genevieve	65	759
Herculaneum	31	790
St. Louis	29	819

A fourth table gives the distances from Little Rock to Fort Gibson, to wit:

Lewisburg (Morrillton)	66	
Scotia	50	116
Morrison's Bluff	33	149
Van Buren	72	221
Fort Smith	8	229
Fort Coffee	10	239
Fort Gibson	84	323

The total distance from Batesville to New Orleans was 921 miles. On the White River the distances were as follows:

Mouth of the Big Black	33	
Mouth of the Cache	70	168
Mouth of the Little Red	65	98
Montgomery's Point	95	263

CHAPTER XXVIII

THE RAILROADS OF ARKANSAS

FIRST RAILROADS IN THE UNITED STATES—EARLY OPPOSITION—ARKANSAS RAILROADS —MEMPHIS & LITTLE ROCK—CAIRO & FULTON—LITTLE ROCK & FORT SMITH—ST. LOUIS SOUTHWESTERN—CHICAGO, ROCK ISLAND & PACIFIC—MISSISSIPPI, OUACHITA & RED RIVER—MISSOURI & NORTH ARKANSAS—OTHER SYSTEMS—MILEAGE AND VALUATION—DISMANTLED RAILROADS.

The first railroad in the United States was built in 1825. It was three miles long, running from the granite quarries at Quincy, Massachusetts, to the sea coast, and was constructed for the purpose of transporting the stone for the Bunker Hill monument from the quarries to the barges that were to carry it to Boston. The cars on this road were drawn by horses.

When Robert Fulton, in 1807, demonstrated to the world that steam could be successfully used as a power in propelling vessels upon the water, thoughtful men began to consider the advisability of applying it to land transportation. Twenty years passed, however, before any practical results were obtained. In 1827 a railroad nine miles long was constructed between Mauch Chunk, Pennsylvania, and some coal mines. Wooden rails were used, with an iron strap nailed on the top to prevent wear. The locomotive was a diminutive affair, about the size of the engines used by threshermen of the present day, and the cars carried about five tons of coal each. Wrecks were frequent, owing to the working loose of the nails that held the iron strap in position, yet even this crude railroad was heralded as an achievement and awakened capitalists to the possibilities of steam as a motive power for land transportation.

The first railroad to operate passenger trains was the Baltimore & Ohio, which was commenced on July 4, 1828. The Charleston & Hamburg Railroad was begun in January, 1830, and three years later had 137 miles in operation, at that time the longest railroad in the world. During the next twenty years the Legislatures of nearly all the states granted charters to railroad companies, though many of these enterprises were purely speculative and the roads were never built.

At the present time, with nearly three hundred thousand miles of railroad in the United States, when every state has its network of railway lines, one would hardly suppose that there had ever been any serious opposition to the building of railroads. That such opposition existed in the early days is seen in the attitude of the school board of Lancaster, Ohio. In the fall of 1828, a few months after work was commenced on the Baltimore & Ohio, some young men of Lancaster organized a debating society and applied to the school board for the use of the school house in which to hold their meetings. Learning that

the society intended to discuss the practicability of railroads, the board replied as follows:

"We are willing to allow you the use of the school house to debate all proper questions in, but such things as railroads we regard as rank infidelity. If God had ever intended his children to fly over the face of the country at the frightful speed of fifteen miles an hour, He would have foretold it clearly through his holy prophets. It is a device of Satan to lure immortal souls to hell."

Although this incident has no direct bearing upon the history of Arkansas railroads, the story has been introduced here to show how some people looked upon the railroad less than a century ago. The railroad company that could not run its trains at greater rate of speed than fifteen miles an hour would neither receive nor deserve any great amount of patronage and the stockholders could hardly expect dividends upon their investment. Yet that rate was considered "frightful" in 1828 by the members of the Lancaster school board. By the time the next generation came upon the stage, public sentiment had undergone a radical change. The railroad was no longer looked upon by any one as "rank infidelity," but as one of the most powerful agencies in the development of the country.

ARKANSAS RAILROADS

During the few years of the reconstruction era, when those in power were very liberal in granting state aid to railroads, a number of companies were incorporated to build railroads "beginning nowhere and ending nowhere." A few of these roads were actually built, but most of them were projected purely for speculative purposes. Among those companies (and the date of their incorporation) were: The Texas, Mississippi River & Northwestern, incorporated in November, 1868; the Little Rock, Pine Bluff & New Orleans, November, 1868; the Camden & Red River, August 11, 1871; the White River Valley, August, 1871; the Memphis & Western, December 23, 1871; the DeVall's Bluff & Auburn, February 26, 1872; the New Orleans, Little Rock & St. Louis, May 11, 1872; the Kansas City & Memphis, October, 1872; the Washington, Lewisville & Shreveport, February 5, 1873; the Helena & Northwestern, March 31, 1873; the Memphis, Pine Bluff & Shreveport, March 24, 1873; the North Central, March 31, 1873; and the Fort Smith, Dardanelle & Little Rock, April 7, 1873.

It would be impracticable to attempt, in the space allotted to one chapter, a detailed history of every railroad ever built or projected in the State of Arkansas, even if reliable information could be obtained. The object of this chapter therefore is to note the early movements for railroads, the progress made in the construction of the leading lines and systems, and the railroad conditions of the present day.

MEMPHIS & LITTLE ROCK

On January 10, 1853, Governor Conway approved an act of the Arkansas Legislature granting a charter to a company to construct a line of railway from the Mississippi River opposite Memphis to Little Rock. This was the first railroad company incorporated under the laws of Arkansas, as also the first to place a railroad in actual operation. The company organized soon after the charter was granted and before the close of the year 1854 Bacchus Ford, chief engineer,

had completed the survey, a distance of 133 miles. The Little Rock True Democrat of December 15, 1857, said: "The road has already been partly completed and is entitled to the glorious eulogy of being the first to start the 'Iron Horse' on the soil of Arkansas."

The editor then goes on to say that the company was trying to complete the road from Hopefield to the St. Francis River, a distance of forty miles, and that the president, Edward Cross, had announced that it could not be built through to Little Rock unless the subscriptions to stock were greatly increased and payments made more promptly than they had been up to that time. The road was completed to Madison, on the St. Francis River, and trains began running regularly early in 1858. In his message to the Legislature of 1856, Governor Conway said:

"The General Assembly, at its last session, granted to the Memphis & Little Rock Railroad Company the lands appropriated by Congress to aid in building the eastern branch of the Cairo & Fulton Railroad." This land grant amounted to 365,539 acres, but in 1856 the demand for land was limited and the company realized but very little from land sales for several years.

On January 9, 1862, the company advertised that the railroad was open between De Vall's Bluff and Brownsville, and on February 20, 1862, it advertised that trains were running between De Vall's Bluff and Little Rock. The fare between Memphis & Little Rock was $10. Between De Vall's Bluff and Madison there was a gap that had to be filled by stage and steamboat. As the advertisement throws considerable light upon transportation conditions of that day, it is here reproduced.

"Hanger, Rapley & Gaines are running the new sidewheel steamer 'Charm' between De Vall's Bluffs and Clarendon, in connection with their double daily line of stages from the Clarendon to Madison, making the trip comfortable and pleasant and twenty-four hours shorter than by any other route. A regular line of packets from Memphis connects with the road at De Vall's Bluffs, offering excellent facilities for the shipment of freight at all seasons and without the risk and delay attending the navigation of the Arkansas River.

"Cars leave Little Rock every day at 8 o'clock A. M. and arrive at Memphis next day at 4 o'clock P. M. Returning, leave Memphis at 7:30 o'clock A. M. arrive at Little Rock next day at 4:30 P. M. Tickets can be procured of J. L. Palmer, Anthony House, Little Rock, and at the ticket office of the Memphis & Charleston Railroad at Memphis.

"S. B. BEAUMONT,
"Gen. Agt., M. & L. R. R. R."

The trip by rail between Litle Rock and Memphis is now made in four hours, but in 1862 it required thirty-two hours, and the railroad company seemed proud of the fact that this was "twenty-four hours shorter than by any other route." The section between De Vall's Bluff and Madison was not completed until after the war. By the act of July 31, 1868, the railroad company was entitled to state aid, in the form of bonds at the rate of $10,000 per mile, or a total of $1,200,000. With this encouragement the gap was closed, the last spike being driven on April 11, 1871. The Gazette, giving an account of the event, said: "We are now bound to the Bluff City—when the water gets out of the way."

CAIRO AND FULTON

The Cairo & Fulton Railroad Company was chartered by the Arkansas Legislature on January 12, 1853, to build a railroad from the Missouri state line to the Texas state line. The incorporators were William E. Ashley, Roswell Beebe, William C. Bevens, Thomas J. Blackmore, D. J. Chapman, Edward Cross, James M. Curran, William E. Davidson, John R. Hampton, Henry K. Hardy, Alexander S. Huey, John N. Mitchell, H. P. Poindexter and Benjamin C. Totten. These incorporators completed the organization of the company on April 15, 1853, by electing Roswell Beebe president. Little further was accomplished that year and the second election of officers occurred on May 15, 1854. Roswell Beebe was again elected president; Daniel Ringo, vice president; B. C. Harley, secretary; William B. Wait, treasurer; James S. Williams, chief engineer. Before the close of the year 1854 the survey was completed, showing a distance of 304 miles across the state.

On February 9, 1853, President Pierce approved an act making a grant of land to the states of Missouri and Arkansas "to aid in the construction of a railroad from a point upon the Mississippi River opposite the mouth of the Ohio River, via Little Rock, to the Texas boundary, near Fulton, in Arkansas, with branches to Fort Smith and the Mississippi River." Under this act the company received six sections (3,840 acres) per mile. The promoters of the enterprise soon discovered that it was much easier to build a railroad on paper than it was with the pick and shovel. Four years passed after the passage of the land grant act, the provisions of which required a certain amount of work to be done within a specified time. The panic of 1857 put a stop to public works all over the country and railroad construction was for a time suspended. In December, 1857, the president of the Cairo & Fulton called for the payment of an installment on stock subscriptions "sufficient to grade twenty-five miles, extending from the White River northward, to protect the land grant." With this work completed it was decided to wait until business conditions improved before continuing construction.

In 1858 offices were established in Little Rock, with Mason Brayman as president; W. W. Leverett, secretary; James S. Williams, chief engineer. The unsettled conditions prevented the prosecution of the work. Instead of improving, those conditions grew worse, and in 1861 the country became involved in civil war. Brayman and Williams were both graduates of West Point. The former returned north, entered the army and became a brigadier-general. Williams entered the Confederate army as a colonel, but after the war Brayman returned to Little Rock to resume his place as president of the Cairo & Fulton Railroad Company. By the act of July 28, 1866, the land grant was revived and increased to ten sections per mile, making a total of 1,945,600 acres.

In March, 1868, the interests of the State of Missouri in the St. Louis & Iron Mountain Railroad were sold to Thomas Allen, who interested some Eastern capitalists and the line was finished to the Arkansas state line. A consolidation was then effected with the Cairo & Fulton company, under the name of the St. Louis, Iron Mountain & Southern, and work was commenced on the "Arkansas Extension." Under the act of the Arkansas Legislature, approved on July 31, 1868, state aid in the form of bonds to the amount of $3,000,000 was

awarded to the Cairo & Fulton Railroad Company. But the land grant was constantly growing more valuable and the company had sufficient working capital, so that the state aid was declined. By the fall of 1872 the road was in operation as far south as Arkadelphia, and in January, 1874, trains began running between St. Louis and Texarkana.

This road now forms part of the Missouri Pacific system. The main line runs southwest from St. Louis through Arkansas, via Corning, Walnut Ridge, Hoxie, Newport, Bald Knob, Little Rock, Benton, Malvern, Arkadelphia, Prescott, Hope and Texarkana to Galveston, Texas. Branches leave this main line as follows: From Knobel, via Paragould, Jonesboro, Harrisburg, Wynne and Marianna, to Helena; from Bald Knob to Memphis; from Little Rock, via Conway, Morrillton, Russellville and Van Buren, to Fort Smith; from Little Rock to Pine Bluff; from Benton to Hot Springs; from Benton to Pine Bluff and Arkansas City; from Gurdon to Camden, El Dorado and Womble; and from Hope to Nashville. Other branches run between Helena, Brinkley and Clarendon; Memphis and Marianna; Helena, McGehee and southward into Louisiana; and between Dermott and Warren.

LITTLE ROCK & FORT SMITH

The railroad between Little Rock and Fort Smith was projected in 1853 by some Boston capitalists, who had previously been interested in railroad building in the East. They associated with them some Arkansas men, obtained a charter from the Legislature, and in 1854 the line was surveyed under the direction of Joshua Barney, chief engineer. The length of the proposed road was ascertained by this survey to be 163 miles. The work of grading was commenced soon after the survey was finished, but it was suspended in 1860 for want of capital. Nothing was then done toward the building of the road until after the war.

At the beginning of the war the company had $31,304 in the treasury, most of which was in gold. Both the military and civil officers of the United States and the Confederate governments tried to get possession of this fund, but Capt. Philip Pennywit, the veteran steamboat captain, treasurer of the railroad company, managed to preserve it intact. With this sum as a nucleus, work was resumed in 1866, with Jesse Turner, president; J. H. Haney, secretary; Philip Pennywit, treasurer; Joshua Barney, chief engineer. Under the original company the road bed had been graded from Little Rock to Morrillton, a distance of fifty miles, when financial troubles arose and the franchise passed into other hands. Between the years 1866 and 1870 the road was graded to Van Buren and preparations were made for laying the rails.

The Gazette of March 4, 1871, announced the arrival of the steamer Jennie Howell at Little Rock, bringing a large cargo of iron rails from New Orleans for the Little Rock & Fort Smith Railroad. The following month the steamer Importer brought up 100 tons more. Before the close of the year the road was finished as far as Ozark. In 1872 it was completed to Van Buren, where freight and passengers were transferred for Fort Smith. The entire line was completed in 1874. It is now a part of the Missouri Pacific system.

ST. LOUIS SOUTHWESTERN

The St. Louis Southwestern, commonly called the "Cotton Belt" Railroad, was incorporated under the name of the Texas & St. Louis Railway, to run from St. Louis through Eastern and Southern Arkansas to Texarkana and into Texas. The first section of the road in Arkansas was built between Jonesboro and Clarendon in 1882. The following year it was completed from Clarendon to Texarkana and through trains began running about the beginning of the year 1884.

In 1885 the company got into financial straits and Samuel W. Fordyce, vice president and treasurer of the company, was appointed receiver. Under his management the company was reorganized as the St. Louis, Arkansas & Texas and the branch between Little Rock and Altheimer was built. In 1889 the road again went into the hands of a receiver and in 1891 it was reorganized as the St. Louis Southwestern.

The main line of the road enters Arkansas near the northeast corner of Clay County and follows a general southwest direction through Paragould, Jonesboro, Brinkley, Stuttgart, Pine Bluff, Rison, Fordyce, Camden and Lewisville to Texarkana. Branches run from Paragould to Blytheville; from Altheimer to Little Rock; from Stuttgart to Hazen and Gillett; from Rice Junction to Wampoo; and from Lewisville southward into Louisiana.

CHICAGO, ROCK ISLAND & PACIFIC

It seems that the Memphis & Little Rock Railroad was not a paying institution, owing chiefly to the frequent floods which interfered with traffic over the eastern forty miles. In 1898 the road was purchased by the Choctaw, Oklahoma & Gulf Railroad Company, which immediately began work on an extension from Little Rock westward into Oklahoma. Construction was pushed forward rapidly and on December 15, 1899, regular trains were put on between Memphis and Oklahoma City.

Not long after this the road passed into the hands of the Chicago, Rock Island & Pacific Railroad Company, better known as the "Rock Island." Under the new management the tracks between Madison and the Mississippi were elevated, so that high water would not impede the passage of trains, and numerous other improvements were made. When the first trains began running between Little Rock and De Vall's Bluff in 1862, and for many years afterward, the western terminus of the road was at Huntersville (now North Little Rock) on the north side of the Arkansas River. At the eastern terminus (Hopefield), passengers and freight had to be ferried across the Mississippi. The Rock Island bridged the Arkansas at Little Rock and brought its trains directly into the city.

The main line of this road in Arkansas passes through Forrest City, Brinkley, De Vall's Bluff, Lonoke, Little Rock, Perryville, Danville and Booneville. The branch from Brinkley to Newport was placed in operation in 1900; the branch from De Vall's Bluff to Searcy, in 1901; the Little Rock & Hot Springs branch, in 1902. The Rock Island also operates branches from Haskell, via Fordyce and El Dorado, to Eunice, Louisiana; from Butterfield on the Hot Springs branch south to Malvern and Camden; from Tinsman on the El Dorado branch to Crossett, and a short branch from Ola to Dardanelle.

MISSISSIPPI, OUACHITA & RED RIVER

Although this railroad does not appear on any of the modern maps of Arkansas, no history of the state's railroads would be complete without some mention of it, as it was the first railroad to be incorporated under the laws of the state. On January 8, 1851, the governor approved an act of the General Assembly entitled "An act for granting corporate powers for certain purposes," etc. Under the provisions of this act the Mississippi, Ouachita & Red River Railroad Company was organized and incorporated on August 12, 1852, five months before the Memphis & Little Rock Railroad was chartered by act of the Legislature.

The charter gave the company power "to construct and maintain a railroad from a point on the Mississippi River, at or near Gaines' Landing, through or near Camden on the Ouachita River, to some point on the Red River, at or near Fulton; thence to some point on the boundary line between the State of Arkansas and the State of Texas."

The people of Camden, led by William T. Haskell, were active in trying to arouse enthusiasm in and secure financial aid for the undertaking. The company employed Lloyd Tilghman and John S. Mosby to make a survey. When they reached Camden in 1854 a great barbecue was given by the citizens, and people came from near and far to hear the speakers eulogize the advantages of the proposed railroad. In his message of 1856, Governor Conway said: "Without any aid from the state or Federal governments, energetic and enterprising citizens have undertaken to construct the Mississippi, Ouachita & Red River Railroad."

A few weeks after the Camden barbecue, the Little Rock Gazette and Democrat said: "We call attention to the notice of the Mississippi, Ouachita & Red River Railroad in our advertising columns today. The election of directors takes place at Camden on the 15th of November next. Everything done in connection with this company has about it a businesslike air, which shows plainly that its managers are wide-awake business men and perfectly familiar with their duty. * * * We should not wonder if this was the first road in operation in the state; and there is no denying the fact that it deserves to be at the head of the list."

Notwithstanding these rosy prospects and predictions, four years passed and the road was still unfinished. A few miles of track at the eastern end were laid, but the company had no locomotive and the railroad was used only for hand-car traffic. Then the war came on and railroad building was suspended. It is said that during the reconstruction days, when the state was issuing bonds to railroad companies, the old, rusty rails of the Mississippi, Ouachita & Red River would be laid on one road long enough for the company to secure the bonds, then they would be taken to another for the same purpose, where bonds would be issued a second time, etc. All that remains of this once pretentious propositon is sixteen miles of track between Warren and Banks, in Bradley County, known as the Warren & Ouachita Valley Railroad.

MISSOURI & NORTH ARKANSAS

Perhaps no railroad in the State of Arkansas has had more "ups and downs" than the Missouri & North Arkansas, which runs northwest from Helena to

Joplin, Missouri, a distance of 359 miles. The road dates its beginning from 1881, when St. Louis capitalists constructed a line twelve miles long from Seligman, Missouri, to Beaver, Arkansas. At Seligman it connected with the St. Louis & San Francisco—then known as the Missouri & Arkansas. About the same time the Eureka Springs Railroad Company was incorporated to build a line from Eureka Springs to Beaver. This road was promoted by Powell Clayton, who was president of the company for several years. In 1882 these two short lines were consolidated and a movement was started for the continuance of the road eastward. Traffic relations were established with the St. Louis & San Francisco, but the president of that company died and his successor refused to accept the agreement, which put a stop to further extension.

In 1889 a new company was formed and, after several years' delay, work on construction was commenced. The road was completed to Harrison in 1901 and to Leslie in 1902. Financial difficulties then came up and in 1905 the road was sold under a receivership. With the reorganization which followed, the name of Missouri & North Arkansas was adopted. Through traffic between Helena, Arkansas, and Joplin, Missouri, was established in 1909. Within two years the road was again in the hands of a receiver. E. M. Wise, an experienced railroad man, was selected for the position and the United States Court authorized the issue of receiver's certificates to the amount of $3,000,000. About two-thirds of the certificates were issued, new shops were built at Harrison, the general offices established there and efforts made to place the road on a paying basis.

Mr. Wise resigned in 1916 and was succeeded by C. A. Phelan. Then the United States entered the World war and the United States Government took over the operation of many of the railroads of the country, the Missouri & North Arkansas included. When Government control ended, the troubles of the company were renewed. Mr. Phelan resigned and J. S. Murray was appointed. A strike of the employees occurred in the spring of 1921, and on the last day of July the road suspended operations.

OTHER SYSTEMS

In addition to the roads above described, there are two systems chartered by other states that are represented in Arkansas. A line of the great St. Louis & San Francisco system (usually referred to as the "Frisco") runs northwest from Memphis through the counties of Crittenden, Craighead, Poinsett, Lawrence, Sharp and Fulton into Missouri. Another line of the same system enters the state near the northeast corner of Benton County and runs southward through Rogers, Fayetteville and Van Buren to Fort Smith, with branches from Rogers to the northwest corner of the state; from Fayetteville to Pettigrew, Madison County; and from Fort Smith to Mansfield, Sebastian County.

The Kansas City Southern passes through the western part of Benton County, from Missouri into Oklahoma. It reenters Arkansas near the southwest corner of Scott County and runs in a general southerly direction through Mena, De Queen, Horatio and Ashdown to Texarkana. A branch of the same system runs westward from Waldron into Oklahoma.

The Yazoo & Mississippi Valley has a terminal at Helena and, in addition

to these lines, representing some of the great railway systems of the country, there are several independent roads of more or less importance. Most of these roads were constructed for the purpose of aiding in the development of the state's natural resources, or to furnish railway connection to some town left a short distance from a main line. The following table shows the mileage (fractional miles omitted) and valuation of the railroads of the state for 1921, as fixed by the state tax commission:

Railroad	Miles	Valuation
Argenta Terminal	...	$ 4,250
Arkansas	18	41,170
Arkansas Central	48	366,348
Arkansas & Louisiana-Missouri	63	40,979
Arkansas Western	32	131,142
Ashley, Drew & Northern	41	117,550
Augusta	2	21,400
Bauxite & Northern	4	62,035
Beirne & Clear Lake	9	.....
Blytheville, Burdette & Mississippi River	14	5,050
Blytheville, Leachville & Arkansas Southern	17	129,130
Brookings & Peach Orchard	3	9,046
Butler County	25	246,120
Cache Valley	10	27,000
Caddo & Choctaw	12	46,415
Cairo, Truman & Southern	19	58,742
Central & Gulf	...	10,580
Central of Arkansas	13	69,561
Chicago, Rock Island & Pacific	696	12,318,795
Combs, Cass & Eastern	16	37,480
Crittenden	6	9,675
Dardanelle & Russellville	5	59,765
De Queen & Eastern	27	204,364
Doniphan, Kensett & Searcy	6	46,530
El Dorado & Wesson	10	71,395
Fordyce & Princeton	18	53,600
Fort Smith, Subiaco & Rock Island	40	133,027
Fort Smith & Van Buren	5	11,720
Fort Smith & Western	1	56,030
Fourche River Valley & Indian Territory	19	74,515
Freeo Valley	24	64,486
Grand Prairie Branch	8	17,673
Helena, Parkin & Northern	14	39,640
Helena Southwestern	4	63,850
Jonesboro, Lake City & Eastern	96	559,845
Kansas City Southern	154	664,068
L'Anguille River	...	7,300
Little Rock, Maumelle & Western	14	28,500
Louisiana & Arkansas	47	687,368

Railroad	Miles	Valuation
Louisiana & Northwestern	25	$87,314
Louisiana & Pine Bluff	7	25,250
Louisville, New Orleans & Texas	...	72,489
Malvern & Freeo Valley	10	57,375
Manila & Southwestern	6	21,760
Memphis, Dallas & Gulf	131	313,079
Midland Valley	48	391,898
Missouri & North Arkansas	296	1,280,435
Missouri Pacific	1,764	40,333,405
Montana	2	8,280
Pennsylvania Anthracite	...	5,910
Ouachita Valley	28	140,200
Pine Bluff & Northern	12	.....
Prescott & Northwestern	36	133,683
St. Louis, Kennett & Southern	15	51,770
St. Louis & San Francisco	598	11,781,302
St. Louis Southwestern	583	15,152,825
Texarkana & Fort Smith	...	3,560,327
Texas & Pacific	33	317,768
Thornton & Alexandria	25	66,150
Warren & Ouachita Valley	16	129,880
Warren & Saline River	20	43,000
Yazoo & Mississippi Valley	...	11,000
Total	5,189	$91,493,688

DISMANTLED RAILROADS

Within recent years a number of Arkansas railroads have been dismantled—some by order of the United States courts, some because they were losing projects. Those of the latter classes were chiefly lumber or logging roads, built for the purpose of bringing timber to mills, or for the development of mineral deposits. Among these discontinued lines may be mentioned the Pine Bluff, Sheridan & Southern, which was constructed from Sheridan to the Saline River to supply Grant County timber to the Pine Bluff mills. It was abandoned in 1918 and the rails were shipped to France, to be used by the American soldiers in the construction of military railroads. The Kansas City & Memphis and the Hot Springs & Glenwood Division of the Memphis, Dallas & Gulf were discontinued by order of the Federal courts. The latter, which was built largely by the aid of Hot Springs citizens, was discontinued on March 5, 1921.

PART V

EDUCATIONAL

CHAPTER XXIX

THE PUBLIC SCHOOL SYSTEM

MISSION SCHOOLS—CHARACTER OF THE EARLY SCHOOLS—THE COURSE OF STUDY—THE THREE R'S—THE SCHOOL LANDS—SCHOOL LAW OF 1843—ACTS OF 1849 AND 1851—GREER'S FIRST REPORT IN 1854—AFTER THE WAR—GOVERNOR MURPHY—UNDER RECONSTRUCTION—RESTORATION OF HOME RULE—APPORTIONMENT OF 1921—AUXILIARY AGENCIES—TEACHERS' ASSOCIATION, ETC.—RECENT DEVELOPMENTS—NEGRO SCHOOLS.

Stephen B. Weeks, in his "History of Public School Education in Arkansas," says: "The first schools in Arkansas were church schools, under the direction of the Jesuits, who, during the French and Spanish regimes, made some effort at instruction of the Indians in things temporal as well as spiritual."

The Jesuits abandoned the field a short time before Louisiana was purchased by the United States, and some of the Protestant denominations established schools among the Indians. The first Protestant mission and school among the Cherokee of Arkansas was established in 1820, by the American Board of Missions of the Congregational Church, with Rev. Cephas Washburn in charge. It was located a few miles above Russellville. At one time Mr. Washburn had seven assistant teachers and over one hundred Cherokee boys and girls enrolled as pupils. The school gained a wide reputation and white children were admitted. Several men who later made their mark in Arkansas affairs attended this school, which is said to have been the first real organized effort to establish an educational institution in Arkansas. A further account of this mission will be found in the chapter on Church History.

The young people of Arkansas, who enjoy the opportunities and advantages of the public schools in the year 1921, can hardly realize the difficulties that attended the acquisition of an education during the territorial era and the early days of statehood. Following the mission schools came a period of private or subscription schools, in which the patrons paid so much for each child for a given term, usually three months. Many of the early settlers were from Alabama, Tennessee, North and South Carolina and other states, where "old field" schools were maintained, and they brought their educational ideas with them to Arkansas. When a neighborhood contained a sufficient number of children to warrant the establishment of a school, the pioneers would cooperate in the erection of a schoolhouse at some central point, where it would be convenient for the greater number of the pupils. These first schoolhouses were generally located at the edge of the woods and instead of being called "old field schools" they were known as "forest schools." The houses were invariably of logs, with clapboard roof and puncheon floor (sometimes the only floor was mother earth). At one end was a great fireplace. In cold weather there was always

more or less confusion in the school through the changing of seats, those seated in the rear asking permission to sit by the fire awhile. If sash and glass could be obtained, a real window would be placed in each side of the house. Where glass could not be procured, a section of a log would be left out and the aperture fitted with a framework of light sticks, over which oiled paper would be pasted. One can readily imagine that the light from such windows, especially on cloudy days, was rather trying on the eyes of both teacher and pupils.

There were no varnished desks in those days. The school furniture was "home-made" and scant in quantity. A small tree, eight or ten inches in diameter, would be split in halves for "benches." The split side would be smoothed with the "draw-knife." Holes were bored with a large auger in the half-round sides, and into these holes were driven stout pins for legs, the legs standing at an angle that would insure stability. In some districts the builders were thoughtful enough to make these "benches" of different heights, to accommodate children of different ages, though it was no unusual thing for the "little fellows" to sit on the same bench with their older brothers and sisters, with their feet swinging unsupported. Under the window a wide board, resting upon pins driven into one of the logs, formed a writing desk, where the pupils took turns at their writing lessons.

Such a thing as a uniform system of textbooks, authorized by a board of education, was unknown. About the only book with which all the children were supplied was Webster's spelling book—the old "blue-back"—still remembered by the old men and women of the country. Other books were McGuffey's and Wilson's readers; Daboll's, Pike's and Ray's arithmetics; Olney's and Mitchell's geographies. Grammar was rarely taught. If so, the textbook was Butler's or Kirkham's.

The pioneers were interested far more in solving the problem of physical existence than they were in establishing schools and founding universities. Consequently, for a generation after the first settlements were planted, schoolhouses were like the proverbial angels' visits, "few and far between." Teachers were even scarcer; that is, teachers of ability. The pioneer teacher was rarely a college graduate and knew nothing of normal school training. If he could read and spell, write well enough to "set copies" for the pupils, and "do all the sums" in the book up to and including "the Rule of Three," he was qualified to teach. There was one qualification that was considered necessary. He must possess sufficient physical strength to hold the unruly and boisterous boys in subjection. At the opening of the term, the teacher would frequently bring into the school room a bundle of tough switches, which would be displayed to the best advantage as a sort of prophylactic. The early pedagogue proceeded on the theory that "to spare the rod was to spoil the child." In this he had the support of the parents. Not many children were spoiled.

Upon the theory that no one could read well without first having learned to spell well, more attention was given to orthography than to any other branch of study. The pupils were divided into spelling classes, according to their advancement. Twice each day these classes would be called upon to recite. The words were pronounced by the teacher, beginning at the head of the class. If one missed a word and the next spelled it correctly, he moved up one place

PIONEER SCHOOLHOUSE

in the class. When he reached the head he was given a credit mark and then took his place at the foot. At the end of the term the one having the most "headmarks" was usually rewarded with a small prize. Friday afternoons were given up to spelling matches and "spelling bees," in which everybody within a reasonable distance of the schoolhouse took part. Two "captains" were selected to "choose up." The one winning the first choice named the best speller present, the opponent named the next best, and so on alternately until all those present who wished to participate were arrayed in two opposing lines. Then the teacher "gave out" the words, first to one side and then to the other. Each speller who misspelled a word took his seat, the last one standing being the victor. To "spell down" an entire school was considered quite an achievement.

When the child could spell fairly well he was given the First Reader. By the time the Second Reader was reached, the writing lessons began. The copy book consisted of a few sheets of foolscap paper, covered with a sheet of tough wrapping paper. At the top of the page the teacher wrote a line for the pupil to imitate. These "copies" were intended to teach a moral, as well as serve as a specimen of penmanship, such as "Time and tide wait for no man," "Whatever is worth doing is worth doing well," etc. As the teacher rarely taught more than one term in a place, and as each teacher had a different style of penmanship, it is a wonder that many of the young people of that day learned to write as well as they did.

Next came the arithmetic. In the pronunciation of this word the first letter was often dropped. Readin', 'Ritin' and 'Rithmetic (known as the three R's) were considered the essentials of a practical education. Anyone with a passable knowledge of the three R's was equipped for the great battle of life, so far as ordinary business transactions were concerned.

Such was the character of the early schools. Pupils frequently came on horseback from a distance of five miles or more, bringing feed for their horses and a lunch for themselves, remaining "from early morn till dewy eve." An early traveler in Arkansas thus describes one of the "forest schools":

"We passed a school as we went along—one of the usual log houses. The more distant scholars came on horseback and tied their horses to the fence during school hours. Of course, they bring their dinners with them. These forest schools seldom pretend to teach more than reading, writing and arithmetic; if they attempt geography, it is confined to that of the United States. It was just noon as we passed; at this hour master and scholars make it a rule to play at ball, so that they may return with greater zeal to their spelling."

In the progress of a century a great change has come in educational conditions. The old log schoolhouse has disappeared and in its place has come a commodious edifice of brick or stone. No longer is the bundle of "gads" paraded before the school as a terror to evil doers. The old fireplace, the "one-sided" heat of which caused some of the pupils almost to roast, while others farther away almost froze, has been supplanted by the furnace or steam heating plant. Lighting and ventilation are now important considerations in the construction of a school building. Yet, under the old system, chief justices, United States senators, professional men who afterward achieved world-wide reputation, even Presidents of the United States, learned their "A B C's" in the old log

schoolhouse. President James A. Garfield once said: "Give me a three-legged stool in a log house with Mark Hopkins as teacher and I'll get an education."

THE SCHOOL LANDS

In the creation of Arkansas Territory, Congress granted to it the section of land numbered sixteen in each township, "to be an endowment for the common schools of the township in which said section is located." Ten years passed before the territorial authorities took any steps to render this land grant available for the purpose for which it was intended. By the act of November 21, 1829, the Legislature authorized the county court, upon petition of the citizens of any township, to appoint a trustee of the school lands in such township. The act made it the duty of the trustee to lease Section 16, "for a period not to exceed five years at a time." The county court was to apply the money received from these leases to the support of one or more common schools in said township. In a country where land was more plentiful than almost anything else, the trustees found it a difficult matter to lease the school lands for a sum sufficient to establish and maintain public schools, and as no appropriation was made by the Legislature to supplement the rentals, nothing came of the act.

Arkansas was admitted into the Union as a state in 1836. The constitution under which the state was admitted (Article VII) was as follows: "Knowledge and learning, generally diffused through a community, being essential to the preservation of a free government—and diffusing the opportunities and advantages of education through the various parts of the state being highly conducive to this end—it shall be the duty of the General Assembly to provide by law for the improvement of such lands as are or hereafter may be granted by the United States to this state for the use of schools, and to apply any funds which may be raised from such lands, or from any other source, to the accomplishment of the object for which they are or may be intended. The General Assembly shall, from time to time, pass such laws as shall be calculated to encourage intellectual, scientific and agricultural improvement, by allowing rewards and immunities for the promotion and improvement of arts, science, commerce, manufactures and natural history; and countenance and encourage the principles of humanity, industry and morality."

While the phraseology of this provision may seem a little bombastic, there is no doubt that the framers of the constitution were sincere in their desire to lay the foundation of a public school system that would be a credit to the state. James S. Conway, the first state governor, said in his inaugural address: "The fabric of the state, when once constructed, must stand for ages. It must be fixed in the understanding and reverence of the people. Let us therefore examine for and collect all materials calculated to enlighten the public mind and diffuse general and useful knowledge. We have ample means for the establishment of such institutions of learning as will insure universal education to the youth of our country. Knowledge is power; it is the lever which sways everything in a popular government."

The "ample means" referred to by the governor were the lands embraced in the sixteenth sections. He either overestimated the value of the lands or

underestimated the cost of maintaining a thorough public school system. Apparently he did not realize the necessity of supplementing the sixteenth section fund by taxation—a method to which the state finally had to resort. In his message to the Legislature of 1837, Governor Conway expressed his disappointment that the state was "almost destitute of common schools." The General Assembly of that year memorialized Congress for authority to sell the school lands and apply the interest of the money so received for school purposes. This authority was not granted, however, until February 15, 1843, when President Tyler approved an act of Congress giving to the states of Arkansas, Illinois, Louisiana and Tennessee power to "lease or sell all or any part of the lands granted for the use of schools."

By this act Congress was careful to provide that such lands were not to be sold without the consent of the people in the particular townships; that when sold, the Legislature should provide for the investment of the money in some productive fund, the interest alone to be used; and that "in the apportionment of the proceeds of said fund each township and district shall be entitled to such part thereof, and no more, as shall have accrued from the sum or sums of money arising from the sale of the school lands belonging to such township or district."

SCHOOL LAW OF 1843

On February 3, 1843, twelve days before Congress granted the state power to sell the sixteenth sections, Governor Yell approved an act of the Legislature "to establish a system of common schools in the State of Arkansas." It provided that upon the request of the people of any township, in which there were as many as five householders and fifteen white children, the county court should order an election for a commissioner for that township, whose duty it should be to sell (or lease if the people preferred) the sixteenth sections on ten years' credit, at not less than $2 per acre, the funds thus accruing to be perpetual, only the interest to be used. There was to be elected also a board of three trustees, who should have control of the fund and supervision of the schools. These trustees were directed, when the funds were sufficient, "to build schoolhouses, employ teachers and to keep one or more schools open for four months in the year, each taught by a competent teacher. The subjects to be taught were "orthography, reading, writing, English grammar, geography, arithmetic and good morals." They were also authorized to receive donations and subscriptions to supplement the fund derived from the sale or lease of the sixteenth sections. They were required to take an annual census of the school population, ascertain the amount subscribed for each pupil, the number for whom no subscription was made, etc., and the township was required to pay the tuition and furnish textbooks for those unable to contribute to the school fund. Says Weeks:

"An analysis of this law will show how far it was from the modern idea. The schools were to be supported entirely from contributions and the sixteenth section endowment. There was no suggestion of state or local taxation. Those unable to contribute were to be educated as 'indigent children.' (An appropriation of $1,000 was made to buy books for such children.) The funds from the sixteenth section, under the most favorable conditions, were inadequate

Had the lands been sold at $2 per acre for cash, the whole principal would have been but $1,280 per township, which, if invested at 10 per cent, a rate not unreasonable at the time and place, would have produced an annual income of $128, a sum barely sufficient to support one teacher for three months, leaving nothing for incidentals or for buildings. But the lands were sold on ten years' time, and we know in many cases were never paid for."

The law of 1843 was a failure, chiefly because the fund obtained by the sale of the sixteenth sections was insufficient to meet the requirements of anything like an efficient school system, and the donations and subscriptions were insignificant. In his report for 1844, Elias N. Conway, then auditor of state, severely criticizes the law, to wit: "The common school law is so complicated and requires the concert of action in so many officers that the system can never be fully organized in a state so sparsely settled as ours. To organize every township and county in the state under this law would require about 5,800 officers, all to act and attend to duties assigned them without any compensation but the satisfaction derived from aiding in the cause of education. This law conflicts with the act of Congress authorizing the state to sell the sixteenth sections; and also provides for the distribution of the saline fund for the use of the common schools, in violation of the act of Congress requiring this fund to be expended for making internal improvements. * * * For the organization of a system of common schools a new law should be passed, plain, comprehensive, requiring fewer officers and proper accountability in them; and that duplicates of their bonds and returns of all sales of lands and of their other proceedings should be filed in some office at the seat of government."

One effect of Mr. Conway's criticism was the adoption of a resolution by the General Assembly on December 18, 1844, asking Congress for authority to sell the seminary lands (see University of Arkansas) and apply the proceeds to the common schools. This permission was given by an act of Congress, approved on July 29, 1846, and by another act, approved on March 3, 1847, the state was directed to apply the funds arising from the sale of the saline lands for the same purpose. But even with this assistance the common schools of the state continued to languish. In 1848 Governor Drew asked for a second section of land in each township and recommended that all fines, forfeitures, etc., be turned into the school fund.

ACTS OF 1849 AND 1851

A new school law was approved by Acting Governor Byrd on January 5, 1849. It provided that the funds arising from the sale of the seminary and saline lands should be divided among the counties in proportion to the school population and that the fund should be a perpetual endowment for the schools of the county, to be loaned by the county treasurer at not exceeding 10 per cent. The political township was made the unit of school organization, subject to the supervision of the county court, which was required to order an election on the first Monday in May biennially for school trustees, etc. To carry out the provisions of the act an appropriation of $250,000 "from the seminary and saline land funds, to be paid out as the money accrued from sales." Only a small part of the appropriation was ever realized.

In his message to the Legislature which met in November, 1850, Governor John S. Roane took the view that a public school system in a state with as sparse a population as Arkansas had at that time was doomed to failure. "All experience proves," said he, "that the common school system, when attempted in a country so sparsely populated as ours, has failed." He condemned the transfer of the seminary and saline lands to the use of the common schools, characterizing the funds as "a mere pittance," and suggested that it would be better to establish one or more seminaries, "offering the advantages of a liberal education," rather than to attempt a general system of public schools. He recommended the repeal of the law giving the seminary funds to the common schools.

Notwithstanding the governor's recommendations, the Legislature, just before the adjournment in January, 1851, passed an act amendatory of the common school law. It provided for a "common school commissioner in each township where there were fifteen or more pupils between the ages of five and twenty-one years." This commissioner was vested with authority to lease or sell the sixteenth section at $2 per acre until twice offered and after that at $1.25, the purchaser being given ten years in which to pay. The county treasurer was made the custodian of the township funds, etc.

In his message to the Legislature in November, 1852, Governor Roane referred to the "vicious distribution policy" of the public school funds and again recommended the repeal of the act distributing the seminary fund among the counties. He recommended the establishment of three seminaries, the graduates of which should be required to teach for a given number of years. "Thus," said he, "you will prepare the way for common schools, and by the time the system can be put into successful operation a sufficient number of young men will be educated and prepared to conduct them."

That Legislature passed an act making the secretary of state ex-officio state commissioner of schools; authorizing the election of a county school commissioner, who was to be ex-officio county school superintendent, and who was required to report to the state commissioner. By this act something like order was brought out of chaos through the centralization of authority in fewer hands. The act also provided that escheats, fines and forfeitures should be added to the permanent school fund.

David B. Greer, secretary of state and acting commissioner, made his first annual report to the governor in 1854. It was not a very optimistic document, for the reason that out of the fifty-five organized counties in the state only twenty-seven reported. "The condition of common schools in the state," says the report, "presents a gloomy picture, but the friends of education should not be discouraged. The same difficulties experienced by Arkansas in their establishment have been more or less felt in all the new and sparsely settled states. * * * The great obstacle in the organization of common schools is not so much a deficiency in the means to sustain them, but it is attributable to the indifference that pervades the public mind on the subject of education."

The permanent school fund in the hands of the twenty-seven counties reporting—derived from the sale of lands, donations, fines and forfeitures—was as follows:

Benton	$ 2,022
Bradley	4,393
Carroll	2,768
Columbia	7,488
Conway	2,564
Crittenden	5,133
Dallas	4,046
Desha	9,794
Drew	1,099
Franklin	6,179
Hempstead	2,950
Independence	4,399
Jackson	7,022
Jefferson	20,402
Johnson	4,604
Lafayette	2,142
Ouachita	10,500
Phillips	4,224
Pope	3,398
Prairie	4,299
Randolph	4,865
Scott	2,060
Sebastian	6,648
Union	21,798
Van Buren	801
Washington	9,229
Yell	2,893
Total	$157,720

The average amount of the permanent fund held by each of these counties was $5,841. Assuming that the twenty-eight counties that failed to report each held a similar sum (which is not likely), the total permanent school fund of the state would have been $321,125. Invested at 10 per cent, this fund would have yielded an income of $32,125, a sum utterly inadequate for supporting a school system worthy of the name.

Little change was made in the conditions between 1854 and 1860. Governor Conway, in his message of 1858, recommended the enactment of a law authorizing county courts to appropriate the poll tax to schools "if they choose," and in 1860 he pointed out some of the weaknesses of the system then in operation. "The seminary and saline funds," said he, "when distributed to the several counties are placed under the control of the county authorities. The common school fund arising from other sources must be sufficiently large in many of the communities to justify the establishment of some free schools. But as the funds and common schools are, by law, placed under the control of the county and township officers, the executive has not sufficient information to determine whether the fund is properly taken care of or not, and sacredly applied, as it should be, toward the education of the children of the county."

Governor Henry M. Rector, in his inaugural address, called attention to the fact that out of the fifty-five county school commissioners only three had reported to the state school commissioner, as the law required, and that two of the reports received were "totally devoid of the required information." He suggested that ten men would perform the work of managing the common schools better than the 7,755 then in office. "The common school system," said he, "seems to be radically defective. In the last report made by the secretary of state, as state commissioner of common schools, it may be seen that there are only twenty-five common schools organized and kept up in the state from the common school fund. This is a sad commentary upon the present system."

Such were the educational conditions in Arkansas at the beginning of the Civil war in 1861. Writers in later years have shown a disposition to criticize the management of the public school fund in early days. These criticisms, however, merely afford another illustration of the truth of the old saying: "Hindsight is better than foresight." It is true that the sale of the sixteen sections was often badly conducted and the investment of the funds was not always properly safeguarded. But it should be remembered that the sixteenth sections embraced nearly one million acres of land, that this land was scattered all over the state, that its sale and management of the fund were vested in more than seven thousand petty officials, as pointed out by Governor Rector in his inaugural address. It should also be remembered that the plan of founding a common school system upon land grants was largely in the nature of an experiment. Even Congress labored under the delusion that the rentals of one section of land would be sufficient to maintain at least one school in each township. Other states experienced the same difficulties as Arkansas. In all these states mistakes were made, but they were due mainly to inexperience. Considering the magnitude of the scheme, instances of actual dishonesty were extremely rare.

Scattered over the country are many cases where the sixteenth section was not sold, and in most of these cases the lands are now a fruitful source of revenue. In Cook County, Illinois, one of the school sections happened to fall within the present limits of the City of Chicago. The land was swampy, and, though the authorities advertised it for sale, a purchaser could not be found. Then the city began to grow, the swamps were drained, and the school board decided to lease the land instead of selling it. The rentals now supply a large part of Chicago's school revenue.

A case nearer home, where a different policy was pursued, may be mentioned. A few years after the City of Fayetteville was founded, it was discovered that it was located on a school section. The citizens appealed to Congress for the passage of an act authorizing the selection of another section for school purposes and the petition was granted. Had Congress refused the request and the land remained as part of the school endowment, the occupants paying a fixed rental into the school fund, the probabilities are that the people of Washington County would be paying little or no school tax today.

AFTER THE WAR

By the autumn of 1863 practically all that part of the state north of the Arkansas River was in the hands of the Federals. The people of this section

expressed their desire for the renewal of civil government. Under a proclamation of President Lincoln a constitutional convention was held at Little Rock in January, 1864. Under that constitution Isaac Murphy was elected governor. For years before the war he had been a teacher in Northwestern Arkansas and was interested in the subject of education. In his first message to the Legislature he said:

"As this is the first session of the Legislature of the free State of Arkansas, I trust that your honorable body will provide by law that every child in the state shall have an opportunity of acquiring a good education, and not only give the opportunity, but make the education of the rising generation a duty to the state, to be enforced by proper penalties. Ignorance leads to slavery; intelligence to freedom."

That Legislature failed to make any provision for popular education and at the next session, which met in November, 1866, Governor Murphy used stronger language in urging the establishment of a free school system based on taxation. On March 18, 1867, five days before the final adjournment, the General Assembly passed a law which, in many respects, has formed the basis of all subsequent school legislation. It provided that "For the purpose of establishing a system of common school education in this state a tax is hereby levied of 20 cents on every $100 worth of taxable property in this state, and shall be collected and paid into the state treasury annually, in the same manner as now provided by law for other state taxes: Provided, this tax shall not be levied on the property of persons of color."

The act also provided for the election of a state superintendent of public instruction at the general election in 1868, and for an appointment by the Legislature for the interim; prohibited the use of the fund raised by the specified tax for any other purpose than the support of the common schools; authorized the election of a school commissioner in each county and prescribed the duties of such commissioners; erected each congressional township into a school district; and provided that if the trustees of any district should fail to have a school taught for at least three months in any one year, such district should not receive any part of the school funds provided for by the act.

The Legislature elected F. R. Earle, president of Cane Hill College, superintendent of public instruction, but he was removed by a military order of Gen. E. O. C. Ord on August 9, 1867, on the grounds that "his services are not needed." Says Weeks: "The service of this regime was not so much the actual organization of schools, but the creation of resources which made the schools of the future a possibility. For this service the 'rebel' Legislature of 1866-67 and the 'Union' governor, Murphy, deserve to be held in grateful remembrance by the people of Arkansas."

UNDER RECONSTRUCTION

As a general history of reconstruction in Arkansas is given in another chapter, it is only necessary to notice here the influence of the policy upon the common schools. Under the reconstruction act passed by Congress on March 2, 1867, a new constitution was adopted for Arkansas in January, 1868. It contained lengthy and elaborate provisions on the subject of education, the

substance of which was as follows: 1. The General Assembly was required to establish a system of free schools for both white and colored persons between the ages of five and twenty-one years. 2. That the supervision of the common schools should be vested in a superintendent of public instruction. 3. That the General Assembly should establish and maintain a state university, with certain departments, etc. 4. That the proceeds of all lands, all money and property then belonging to any fund for educational purposes, unclaimed dividends, estates of deceased persons, fines, penalties and forfeitures, etc., should be "securely invested and sacredly preserved as a public school fund." 5. In case the income from the public school fund should be insufficient to sustain a free school in each school district for at least three months in each year, the General Assembly should provide by law for levying such tax "as may be deemed proper." 6. The poll tax of $1 on every male inhabitant over the age of twenty-one years should be appropriated for the support of the free schools.

No serious objection could be made to the system and methods proposed by this constitution, except that it had to bear the odium of reconstruction. And this odium was greatly increased by some of the laws enacted by reconstruction legislatures. Powell Clayton was inaugurated on July 2, 1868. In his inaugural address he had much to say on the subject of education. He recommended that the county superintendent system be abolished and that circuit superintendents be appointed. The Legislature passed an act, which was approved on July 23, 1868, and which embodied this idea of the governor's along with some good features. Shinn, in his "History of Education in Arkansas" (p. 40), says: "There were ten circuits. Fully one-half of the state fund in 1868 and 1869 was paid to circuit superintendents. This feature of the law was especially odious to the people, and the reconstructionists themselves recoiled."

The office of circuit superintendent was abolished by the act of April 29, 1873, and in 1874 a county superintendent was elected in each county of the state. In the meantime Thomas Smith, who was elected superintendent of public instruction, opened his office on August 1, 1868, and began the work of organizing the public schools. He had been a surgeon in the United States army and naturally he encountered some opposition on that score, yet in his first report he commended "the hearty manner in which old citizens of the state are giving their influence in support of the free schools."

During the years 1868 and 1869 the operation of martial law retarded the growth of the public schools. In January, 1870, the funds collected during the years 1867, 1868 and 1869 were apportioned and a large number of schools were organized. But the reconstruction government was extravagant and it was not long until the treasury was without currency, scrip taking the place of lawful money. Teachers were paid in this scrip, which rapidly depreciated until it was worth only about forty cents on the dollar. State and county indebtedness greatly increased and general discontent prevailed. Under such conditions the most perfect educational system would have been doomed to failure. Yet the reconstruction regime was not without its influence. Its establishment of public school system based upon taxation has been fruitful of good results.

RESTORATION OF HOME RULE

Reconstruction in Arkansas came to an end on May 15, 1874, when President Grant by proclamation recognized Elisha Baxter as the legal governor of the state. A new constitution was at once adopted, in which the following features relating to popular education were incorporated: 1. No money or property belonging to the public school fund, or to the state for the benefit of universities, shall ever be diverted from the purpose for which it has been appropriated. 2. The Legislature was given power to provide by general laws for the support of the common schools by taxes, which should never exceed in any one year two mills on the dollar. 3. By general law school districts might be authorized to levy a local tax not exceeding five mills on the dollar. 4. A per capita (poll) tax of $1 was directed to be assessed on every male citizen over the age of twenty-one years. 5. The supervision of the public schools to be vested in such officers as may be provided for by law.

An amendment to this constitution was ratified by the people at the general election in 1916 providing that the state school tax might be increased to three mills on the dollar and the General Assembly, by general law, might authorize school districts to levy, by vote of the qualified electors of such district, a tax not to exceed twelve mills on the dollar for school purposes.

Without going into detail regarding the work of the various superintendents of public instruction, it may be well to note the general progress of the public schools under the constitution of 1874. George W. Hill, the first state superintendent under home rule, reported an appreciation of the state scrip, 461 teachers employed, $73,167 paid for teachers' wages, and $10,839 for schoolhouses up to June 30, 1876.

During the administrations of James L. Denton and Dunbar H. Pope (1878-1882) public sentiment was awakened to such an extent that a majority of the school districts voted the local tax for the support of schools. Much of this awakening was due to Mr. Denton's efforts. He was an orator of more than average ability, traveled all over the state delivering addresses on education and urged the people to give liberal support to their local schools.

While W. E. Thompson was superintendent (1882-1890), city school systems were established in many of the cities of the state, and steady progress was made in the rural districts. He was succeeded by Josiah H. Shinn in 1890, and the following year the Legislature appropriated $2,000 for conducting six normal schools for three months each, in addition to the regular county institutes. This appropriation was increased to $3,000 in 1893.

Mr. Shinn was succeeded by Junius Jordan in 1894, and on April 20, 1895, Governor Clarke approved an act appropriating $10,000 per annum for a normal institute of twenty days in each county of the state, to be conducted by some competent educator chosen by the state superintendent. These county normals were discontinued in 1899.

Under the administrations of J. W. Kuykendall, J. J. Doyne, John H. Hinemon and George B. Cook, covering the period from 1898 to 1916, the development of the common schools went steadily forward, the permanent fund increasing year by year and the indifference of the people gradually disappearing.

John L. Bond was elected superintendent in 1916, reelected in 1918 and

again in 1920. In his biennial report for the years 1918 and 1920, he shows the school population of the state, for the year ending on June 30, 1920, as 676,169, of whom 483,172 were enrolled in the public schools; the total fund available for school purposes during the year was $7,602,634.88; there were employed 10,947 teachers, who received in wages, $5,362,574.97; the amount expended for buildings and repairs was $806,819.19, and a balance of $1,755,679.34 was left in the treasury on June 30, 1920. These figures indicate that great progress has been made since the first school law was enacted in 1843.

APPORTIONMENT OF 1921

Under the law of March 15, 1897, the state school fund is derived from the following sources: 1. The proceeds of all lands granted by the United States to the State of Arkansas. 2. All moneys, bonds, stocks, etc., now belonging to any fund for educational purposes. 3. The net proceeds of all sales of property and effects that may accrue to the state by escheat, unclaimed dividends or distributive shares of estates of deceased persons. 4. Ten per cent of the funds arising from the sale of state lands. 5. All grants, gifts or devises made to the state, not otherwise appropriated by the tenure of the grant, gift or devise.

A state board of education was created by the act of June 1, 1911, consisting of the state superintendent of public instruction and one member from each congressional district. It was made the duty of this state board to apportion annually the income from the permanent fund among the several counties of the state, according to the number of children of school age. On September 5, 1921, the board apportioned the income as follows:

County	No. Children	Amount
Arkansas	7,409	$ 19,337.49
Ashley	10,074	26,293.14
Baxter	3,985	10,400.86
Benton	12,299	32,163.03
Boone	5,724	14,939.64
Bradley	6,217	16,226.37
Calhoun	4,577	11,945.97
Carroll	6,371	16,628.31
Chicot	9,664	25,223.04
Clark	9,774	25,510.14
Clay	10,535	27,496.35
Cleburne	4,727	12,337.47
Cleveland	5,431	14,174.91
Columbia	10,581	27,616.41
Conway	10,402	27,149.22
Craighead	13,281	34,663.41
Crawford	10,252	26,757.72
Crittenden	13,561	35,394.21
Cross	7,671	20,021.31
Dallas	6,000	15,660.00

County	No. Children	Amount
Desha	6,684	$17,445.24
Drew	8,597	22,438.17
Faulkner	11,252	29,367.72
Franklin	7,810	20,384.10
Fulton	4,284	11,181.24
Garland	9,218	24,058.98
Grant	4,284	11,181.24
Greene	10,452	27,279.72
Hempstead	12,338	32,202.18
Hot Spring	6,503	16,972.83
Howard	7,126	18,598.86
Independence	9,013	23,523.93
Izard	5,227	13,523.93
Jackson	10,426	27,211.86
Jefferson	26,236	68,475.96
Johnson	8,407	21,942.27
Lafayette	5,275	13,767.75
Lawrence	8,498	22,179.78
Lee	12,801	33,410.61
Lincoln	6,862	17,909.82
Little River	6,495	16,951.95
Logan	10,229	26,697.69
Lonoke	14,054	36,680.94
Madison	5,573	14,545.53
Marion	4,152	10,839.33
Miller	8,872	23,155.92
Mississippi	18,004	46,990.44
Monroe	8,011	20,908.71
Montgomery	4,201	10,964.61
Nevada	8,535	22,276.35
Newton	4,670	12,188.70
Ouachita	8,392	21,903.12
Perry	3,983	10,395.63
Phillips	16,836	43,941.96
Pike	4,812	12,559.32
Poinsett	8,934	23,317.74
Polk	6,482	16,918.02
Pope	10,476	27,342.36
Prairie	6,295	16,429.66
Pulaski	33,906	88,494.66
Randolph	6,957	18,157.77
St. Francis	11,311	29,521.71
Saline	6,075	15,855.75
Scott	5,084	13,269.24
Searcy	5,749	15,004.89
Sebastian	18,462	48,185.82
Sevier	7,160	18,687.60

County	No. Children	Amount
Sharp	4,499	$11,742.39
Stone	3,796	9,907.56
Union	12,790	33,381.90
Van Buren	5,281	13,783.41
Washington	13,299	34,527.69
White	13,633	35,582.13
Woodruff	8,430	22,002.30
Yell	9,780	25,525.80
Total	675,001	$1,761,752.01

Of the total school population, 482,336 were white and 192,665 were colored chidren. No colored pupils were reported from the counties of Baxter, Boone, Clay, Cleburne, Marion, Newton, Polk, Scott, Searcy, Sharp and Stone. In addition to the amounts apportioned to the several counties from the income of the permanent school fund, twenty-one counties participated in the forest reserve fund, to wit:

County	Amount
Baxter	$ 231.59
Crawford	50.51
Franklin	120.63
Garland	1,059.94
Howard	12.65
Johnson	425.85
Logan	260.19
Montgomery	1,477.44
Newton	578.44
Perry	662.78
Pike	39.08
Polk	2,295.82
Pope	1,204.41
Saline	743.01
Scott	2,622.68
Searcy	89.45
Sebastian	115.11
Stone	396.07
Van Buren	26.45
Washington	4.03
Yell	1,086.80
Total	$13,502.93

AUXILIARY AGENCIES

Foremost among the auxiliary forces working for the promotion of the common school interests is the Arkansas Teachers' Association, which was organ-

ized in 1869 through the influence of Thomas Smith, then superintendent of public instruction, who was elected as the first president. It waned to some extent with the passing of the reconstruction era, but soon regained its power and was influential in securing the enactment of laws for the benefit of the common schools. Annual meetings have been held since 1872 and at these meetings many subjects of interest regarding educational matters have been discussed. The work of association shows that the teachers of Arkansas are earnestly seeking for better results from their labors. While many of the teachers in the rural districts are not members, the number of those belonging to the association is constantly increasing.

Another agency that has exerted much influence upon the common schools is the School Improvement Association. The first organization of this character was formed in Maine in 1898. In 1905 a School Improvement Association was organized in Little Rock. Its work was so favorably received that in 1908 the Conference for Education in the South donated $1,000 to advance the movement. George B. Cook, then superintendent of public instruction, inaugurated a vigorous campaign, with the result that in January, 1909, there were seventy-six associations in the state, with a membership of 2,256. During the year 1909 these associations expended $9,585 for repairs and beautifying the grounds of the schoolhouses of the state.

The School Improvement Association endeavors to increase the interest of the parents in the welfare of their schools by increasing the interest and ambition of the children. To this end school gardens, corn clubs for boys, poultry clubs for the girls, similar organizations for other lines of work have been started, pictures and books have been added to the school rooms, and prizes have been awarded to the clubs showing the best work. Suggestions for building plans for school houses have emanated from some of these associations, resulting in a more practical style of school architecture.

The Arkansas Library Association, which was organized on January 26, 1911, has been active in its endeavors to obtain a better system of libraries for the state. It was organized through the coöperation of the Little Rock and Fort Smith public libraries and the Arkansas Federation of Women's Clubs. Through the influence of the association many books on miscellaneous subjects have been added to the school libraries of the state.

The Teachers' Reading Circle was organized in 1905 and five years later reported 2,538 members. Its object is to encourage the reading of good literature, especially professional works bearing upon their vocation. By this means the class consciousness of the teachers of the state has been increased and it has found expression through the teachers' association and the reading circle. The teachers are now able to express themselves more boldly and intelligently upon all matters of public moment, and to influence legislation in behalf of the schools.

RECENT DEVELOPMENTS

In 1912 the Russell Sage Foundation published a comparative study of the public school systems of the forty-eight states. This study showed that in the percentage of children enrolled in the public schools Arkansas stood 34th; in the total amount of school revenue, 30th; in the value of school property, 43d; in

the amount of money expended annually per pupil, 42nd; in the length of the school term, 43d; in the number of teachers employed, 40th, and in the number of illiterate persons over ten years of age, 37th.

The publication of these statistics spurred the friends of education in Arkansas to greater activity. Legislatures are not always quick to act, however, and it was not until 1917 that laws were enacted to better educational conditions. One act of the Legislature of 1917 required all parents or guardians of children between the ages of seven and fifteen years to send such children to a public, private or parochial school for at least three-fourths of the length of the common school term in the district in which they reside, under penalty of $10 fine for violation of the law, each day the child is kept out of school to constitute a separate offense. Weak minded children and those whose labor is necessary for the support of a widowed mother are exempt from the provisions of the law.

An illiteracy commission was created in 1917, to be composed of the state superintendent of public instruction (ex-officio) and eight persons appointed by the governor, but no appropriation was made for carrying on the work. A campaign for funds was at once inaugurated and the sum of $4,810.75 was raised. With this small amount of actual cash two field workers were employed. Work was done among the adult illiterates in a number of counties, with the result that a number of gray haired persons were taught to read and write. One of the field workers, Miss Irene Jones, visited several of the county teachers' institutes and in this way 428 teachers agreed to volunteer their services to teach adult illiterates. This work has been carried on since and the prospect for a decrease of the illiteracy in the state is favorable.

The Legislature of 1917 accepted the conditions of the Smith-Hughes Act relating to vocational education, but made no appropriation. The Smith-Hughes Act, passed by Congress in 1917, appropriated $7,000,000 annually to be distributed to the states for the purpose of aiding the schools below agricultural college grade in paying the salaries of teachers of vocational instruction. In 1919 the Arkansas Legislature appropriated $25,000 for the year ending on June 30, 1920, and $100,000 for the biennial period ending on June 30, 1921.

Vocational education was commenced in Arkansas in 1917. In his report for 1919-20 Superintendent Bond says: "The number of schools receiving Federal aid in vocational agriculture in Arkansas for the year 1919-20 was 45. This was an increase of 150 per cent over that of 1918-19, when 18 schools qualified for aid. * * * The students in supervised or directed practice cultivated in 1919-20 1,087 acres of land and cared for 430 head of livestock and 79 dozen poultry in 25 different project lines. The average net income for the pupils in 1918-19 was $98.75, which was considerably in excess of the Federal and state reimbursement. Returns for the year 1919-20 are not yet in, but the indications are that the profits from the students' projects will be considerably in excess of that for the previous year."

A state school commission was created by the Legislature of 1919 "charged with the duty of making a study of school conditions and of recommending to the state board of education definite ways and means for the improvement of the schools of the state." The resolution authorizing the commission provided that the membership should consist of representatives of the various civic and social state-wide organizations, to be selected by said organizations and then appointed

by the governor. Under this arrangement the commission was made up as follows: Thomas C. McRae, Bankers' Association; Dr. G. L. Sands, Farmers' Union; A. A. Hill, Federation of Labor; Dr. Morgan Smith, State Medical Society; C. A. Berry, Press Association; Mrs. C. L. Moore, Federation of Women's Clubs; J. G. Rossman, Teachers' Association; H. S. Spivey, Arkansas Travelers; Wallace Townsend, Bar Association; Garnett Braughton, Association of County Superintendents. The superintendent of public instruction was made ex-officio member and chairman of the commission. The Legislature of 1921 failed to provide for the commission's further work.

One result of all this activity has been a marked increase in the value of school property. In 1910 the total valuation was $6,939,319. In 1920 it was $17,005,730, an increase of $10,066,421, or over 145 per cent in ten years. Of the school property in 1920 that devoted to the colored schools was valued at $1,595,676.

NEGRO SCHOOLS

Prior to the abolition of slavery, Weeks says the negro "had that education which made him of most service as a slave and which was of greatest value when he became a freedman. He was taught the practical arts of rural life—Carpentry, blacksmithing, shoemaking, horseshoeing, farming, gardening, overseeing and indoor domestic service. The women were taught to cook, wash, iron, sew, keep house, nurse and do domestic service. The education was eminently practical; it was in the form which they could most easily acquire, to which they were by nature best fitted, and no time was wasted on the acquirement of theoretical or ornamental knowledge."

The first schools for negroes in Arkansas, as in the other Southern States, were those established by the Freedmen's Bureau. Immediately after the close of the war the reconstruction regime was inaugurated and by the Arkansas law of July 23, 1868, colored people were admitted to school privileges on equal terms with the whites. The Freedmen's Bureau schools were then taken over and administered as part of the state's public school system. Some friction resulted at first, but there has been no alteration or curtailment of the negro's privileges. Formal propositions have been made to divide the school funds in proportion to the amount of taxes paid by each race. As the white people pay much the larger share of the school taxes, the adoption of this policy would have resulted in the practical elimination of the colored schools. Thinking white people, however, have reached the conclusion that the proper education of the negro increases his self respect and he becomes a better citizen. Consequently the race has received its proportionate share of the school funds, though separate schools are maintained.

The report of the superintendent of public instruction shows that on June 30, 1920, there were 1,334 colored school buildings, valued at $1,595,676; that during the preceding school year 122,347 pupils were enrolled out of a total school population of 198,218; that 2,095 colored teachers were employed and the length of the term was 112 days. The colored teachers have their own association, though they attend the county institutes. In several of the larger cities there are negro high schools.

CHAPTER XXX

HIGHER EDUCATION

UNIVERSITY OF ARKANSAS—THE SEMINARY LAND GRANT—HOW IT WAS LOST TO THE UNIVERSITY—THE MORRILL ACT—SELECTING THE SITE—ASSETS AT THE BEGINNING—THE UNIVERSITY IN 1921—STATE NORMAL SCHOOL—BRANCH STATE NORMAL—DISTRICT AGRICULTURAL SCHOOLS—APPROPRIATIONS FOR HIGHER EDUCATION IN 1921.

On February 17, 1818, President James Monroe approved an act of Congress providing for the establishment of additional land offices in the Territory of Missouri. The act provided that "one township of land on the waters of the Arkansas River shall be set apart and reserved for the use of a seminary of learning." Provision was then made for a higher educational institution a year before the Territory of Arkansas was brought into existence by act of Congress. No selection or use of the township was made, however, and on March 2, 1827, Congress passed an act reserving two townships of land "for the use and support of a university within said territory, and for no other use or purpose whatsoever."

Governor Izard appointed an agent to select the two townships, but his death occurred before the work was completed and the selection was finished under the administration of Governor Pope. The Gazette of February 2, 1831, said: "Maj. Elias Rector has just completed the selection of the remainder of the two townships of land which were granted by Congress for seminary purposes in this territory and reported them to the governor last week. * * * The selections which have been made, we understand, are all first class land. If judiciously disposed of, the proceeds arising from their sale or lease may constitute a fund to establish an institution for the education of the youth of the present day, and of future generations, which may redound to the credit of our territory, and to the imperishable honor of the future State of Arkansas."

This optimistic view of the editor was never realized. By the act of March 3, 1833, the governor was authorized by Congress to sell twenty sections and apply the proceeds to the erection of buildings, but no record can be found to show that anything was done under this act. In the compact of June 23, 1836, which provided for the admission of Arkansas to statehood, Congress gave the Legislature full power to manage the donation of the two townships, which were "to be applied solely for the purposes of the donation." On December 17, 1838, Gov. James S. Conway approved an act of the Legislature making him the agent of the state to sell what remained unsold of the seventy-two sections, at not less than $10 per acre. At the first public auction on February 17-18, 1840, only four eighty-acre tracts were sold, bringing $3,312. In his message of the following November, Governor Conway recommended that the minimum

price be reduced to $5 an acre. On December 28, 1840, Governor Yell approved an act fixing the price of the seminary lands at $6 per acre for all lands sold at private sale within six months; $5 per acre for the next six months; $4 for the next six months and after that time $3 per acre, "until otherwise altered by law."

One can plainly see that a prospective purchaser would have to wait only eighteen months to secure his land for half of what it would cost him if bought within six months. Besides the clause "until otherwise altered by law," suggested still further reductions in price and had a tendency to retard the sales. Had the entire grant of seventy-two sections been sold at $10 per acre—the price first fixed by the Legislature—the sum of only $460,800 would have been realized, from which certain expenses would have to be deducted. Surely this was not a princely endowment for a state university.

The last blow to the university land grant was dealt by the Legislature of 1844, which memorialized Congress for the right to use the funds received from the sale of the lands for the support of common schools. This privilege was granted and all hope of a state university according to the original plan vanished.

THE MORRILL ACT

As early as December, 1857, Justin S. Morrill, a member of Congress from Vermont, introduced in the lower house a bill "donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts." It provided for an appropriation of lands equal to 20,000 acres for each senator and representative from the state in Congress. On April 20, 1858, the bill passed the House, but Congress adjourned before the Senate could act upon it. At the beginning of the next session it came up in the Senate, and after a spirited debate passed by a majority of three votes on February 1, 1859, but it was vetoed by President Buchanan.

Mr. Morrill made no further effort in behalf of the measure until December 16, 1861. Then he again introduced the bill in the House and through Senator Wade, of Ohio, it was introduced in the Senate. There was considerable opposition developed in the House, but when the bill passed the Senate on June 10, 1862, by a vote of 32 to 7, this opposition weakened and it passed the House on the 17th by a vote of 90 to 25. It was approved by President Lincoln on July 2, 1862. The bill as finally passed granted to each state 30,000 acres for each senator and representative in Congress, as apportioned under the census of 1860. Where there was a sufficient quantity of public land within the state, its quota should be selected therefrom. In states where there was not a sufficient quantity, the secretary of the interior was directed to issue land scrip, which the state could sell to prospective homesteaders, who could locate the claim on any unappropriated public lands. Each state was required to accept the act and agree to all the conditions imposed within two years.

At the time the act was passed Arkansas was a member of the Southern Confederacy. On May 11, 1864, Governor Murphy approved an act of the Legislature accepting the provisions of the act of Congress and pledging the State of Arkansas to carry out all the conditions. Then came the reconstruc-

tion policy and Congress refused to recognize the senators and representatives from Arkansas and for a time it looked as though the state might have to forfeit all claims to agricultural college lands under the Morrill law. But on July 23, 1866, Congress amended the law so as to include the reconstructed states, giving them three years in which to accept the conditions imposed. On January 31, 1867, Governor Murphy approved another act of the Legislature accepting the land grant and conditions, but the Murphy government was not permitted to establish the university. A new constitution was adopted early in 1868, Powell Clayton was elected governor, and on the 23d of July he approved an act entitled "An act establishing an Industrial University."

SELECTING THE SITE

Under the act of July 23, 1868, a board was appointed to receive bids for a location and report to the next session of the General Assembly. Nothing came of this movement and on March 27, 1871, a new act was approved by the governor "for the location, organization and maintenance of the Arkansas Industrial University with a normal department therein." This act designated the state treasurer as the financial agent of the state to receive the land scrip, sell the same under the direction of the board of trustees, and invest the proceeds in bonds of the United States. The first board of trustees was composed of John E. Bennett, A. W. Bishop, W. D. C. Botefuhr, John M. Clayton, M. A. Cohn, H. A. Millen, A. S. Prather, John N. Sarber, E. J. Searle, Thomas Smith and P. H. Young.

By the terms of the organic act, any county, city or incorporated town was authorized to bid for the location of the university and to raise money for the erection of buildings either by levying a tax or by the issue of bonds. Fayetteville was the successful bidder, and the site chosen was without buildings, except one six-room dwelling. The citizens of Fayetteville and Washington County undertook to remodel the dwelling and erect a two-story frame structure which could be used temporarily for school purposes and later be converted into a dormitory. The university opened on January 22, 1872, with N. P. Gates as president. The organic act of March 27, 1871, carried an appropriation of $50,000 and on February 19, 1872, the board reported the following estimate of assets:

$100,000 in Washington County bonds at 75c	$75,000
30,000 in Fayetteville bonds at 85c	25,500
50,000 in state warrants at 85c	42,500
400 acres of land at $5	2,000
Total	$145,000

In addition to the above assets the university was entitled to land scrip (not yet issued) covering 150,000 acres. The first freshman class numbered but sixteen students. From this modest beginning the university has steadily grown and the state has been liberal in its support. The scope of the institution has been gradually broadened and in 1899 the Legislature changed the name to

the "University of Arkansas." In 1921 the General Assembly increased the university tax to one mill on the dollar and made the following appropriations for the institution:

Deficit to June 30, 1921	$ 65,000.00
Maintenance for two years	834,259.77
Buildings and repairs	350,000.00
Extension work	175,000.00
Soil survey	15,000.00
Medical department	91,609.23
Total	$1,530,869.00

The university catalogue for the year 1920-21 shows that there were 3,586 students enrolled in all departments, the faculty numbered fifty-eight members, there were thirty-five assistant professors and instructors, and the course of study embraced all the subjects taught in the standard universities of the country. The campus contains 120 acres, upon which have been erected the following buildings: University Hall, erected in 1875 and known as the main building; Buchanan, Gray and Hill halls, dormitories for male students; Carnall Hall, a dormitory for female students; the Chemistry, Agricultural, Engineering, Mechanical, Physics, Entomology and Dairy buildings, used for class rooms and laboratory work; Peabody Hall, in which is housed the College of Education; the Experiment Station, for conducting experiments in agriculture, etc. Other buildings include the greenhouse, extension office, infirmary, shops, laundry, bath-house, a Young Men's Christian Association and two large barns. The entire property of the institution is valued at almost one million dollars.

STATE NORMAL SCHOOL

This institution was created by the act of May 14, 1907, "for the purpose of providing for the preparation and training of white persons, both male and female, citizens of the state and desiring to teach," etc. The management was vested in a board of trustees composed of the superintendent of public instruction, the state auditor, state treasurer and "four competent persons to be appointed by the governor." The act authorized this board to receive propositions for a location, a donation of ground, etc., but no proposition was to be considered unless it included at least twenty acres of land for a site and $15,000 for the erection of suitable buildings.

In accordance with the provisions of the act, the first board of trustees was composed of the following: George B. Cook, superintendent of public instruction; A. E. Moore, state auditor; J. L. Yates, state treasurer; B. W. Torreyson, of Little Rock; H. L. Ponder, of Walnut Ridge; J. S. Ross, of Arkansas City, and O. T. Wingo, of De Queen. Benton, Conway, Fort Smith, Quitman and Russellville were competitors for the location. Conway's offer of $51,753 in money and a tract of eighty acres of land, to be selected by the board, was accepted. The town also agreed to provide water, lights, sewerage and a concrete pavement from the school grounds to the business district. Plans were

made for a building and a contract for its erection was let to Halter Brothers, of Conway, for $40,865, the structure to be completed by September 1, 1908. The building was completed on time and the first term opened in September, 1908. In 1909 the first class of eleven members was graduated.

The main building is two-story, of brick and stone, with basement in which are a gymnasium, heating plant, store and toilet rooms. The main floor is occupied by the president's office, library, four large class rooms and seven recitation rooms. The second floor, two large class rooms, three recitation rooms, an auditorium with a seating capacity of 400, and a large room for the science department.

In 1910 plans were adopted for a girls' dormitory and work on the building was commenced. An appropriation for completing and furnishing the building was made by the Legislature of 1911, but it was vetoed by the governor, on the grounds that the financial condition of the state would not permit the expenditure. The Legislature of 1913 appropriated $30,500 to complete the dormitory, $16,500 for a heating plant and $76,700 for salaries and maintenance. This dormitory was ready for the opening of the fall term in 1913. Since that time the Legislature has been liberal with its appropriations and the property of the institution is now valued at $430,000.

BRANCH NORMAL SCHOOL

It is not often that a branch of an institution is older than the institution itself, yet such is the case with the Arkansas Branch Normal School, located at Pine Bluff. It was created by the act of April 25, 1873, to afford normal training and was to be under the control of the trustees of the State University. Reynolds and Thomas, in their "History of the University of Arkansas," say:

"This college was created for the benefit of colored population, though there is nothing in the act to suggest the fact. It does not contain the word 'colored' or 'negro.' The framers were careful not to recognize in the law the element of race. In selecting the location the board was directed to consider 'the interests of the state, and especially the convenience and well-being of the poorer classes.' On account of the location of the main institution, it was provided that the branch normal should be placed south, east or southeast of Pulaski County. Hence the law required the normal to be located in the heart of the colored population of the state. The act contemplated that donations would be made for the location and the trustees were directed to receive and apply the same on the purchase of grounds and the construction of buildings."

An appropriation of $25,000, in state treasurer's certificates of indebtedness, was placed in the hands of the trustees to inaugurate the work, but the market value of these certificates was about forty cents on the dollar and the school could not be established on a scale commensurate with the demand for such an institution. A delay of about two years occurred on this account, but on September 27, 1875, it opened with only seven students in attendance. No building expressly for the purpose had then been erected. The board, then composed of Gov. A. H. Garland, D. E. Jones and Wood E. Thompson, made an arrangement with J. C. Corbin, a colored graduate of the Ohio University, to go to Pine Bluff and lease a suitable building, if possible. A one-story frame building on the

corner of Sevier and Lindsay streets was leased and here the school was conducted until the completion of the school building in January, 1882. It is a two-story brick, occupying twenty acres of grounds in the suburbs of the city, contains one large assembly room and four recitation rooms, cloak rooms, etc., a dormitory for female students was completed in 1891. A portion of the Morrill fund is appropriated to this school annually. The value of the property in 1920 was estimated at $170,000. Many of the colored teachers in the Arkansas public schools received their professional training in this branch normal school.

DISTRICT AGRICULTURAL SCHOOLS

On April 1, 1909, Governor Donaghey approved an act dividing the state into four districts, in each of which should be located an agricultural school, "in which shall be taught agriculture, horticulture and the art of textile manufacturing." Each school was to be under the control of five trustees, appointed by the governor, who were empowered to select the location, receive donations of land or money, etc.

The first district was composed of the counties of Baxter, Clay, Cleburne, Craighead, Crittenden, Cross, Fulton, Greene, Independence, Izard, Jackson, Lawrence, Mississippi, Poinsett, Randolph, St. Francis, Sharp, Stone, White and Woodruff.

The second district was to include the counties of Benton, Boone, Carroll, Conway, Crawford, Faulkner, Franklin, Johnson, Logan, Madison, Marion, Newton, Perry, Pope, Scott, Searcy, Sebastian, Van Buren, Washington and Yell.

The third district consisted of the counties of Clark, Columbia, Garland, Hempstead, Hot Spring, Howard, Lafayette, Little River, Miller, Montgomery, Navada, Ouachita, Pike, Polk, Pulaski, Saline and Sevier.

The fourth district was composed of the counties of Arkansas, Ashley, Bradley, Calhoun, Chicot, Cleveland, Dallas, Desha, Drew, Grant, Jefferson, Lee, Lincoln, Lonoke, Monroe, Phillips, Prairie and Union.

In locating the schools the trustees were required to take into consideration the character of the soil, the healthfulness of the site, transportation facilities, etc. An appropriation of $40,000 was made to each district for the establishment of the school. The first district school is located upon 463 acres near the City of Jonesboro; the school in the second district is located near Russellville, the county seat of Pope County; the third district school is located at Magnolia, the county seat of Columbia County; and the fourth district school is located upon a farm of 500 acres near Monticello, the county seat of Drew County. These schools are required to cooperate with each other by exchanging reports of their investigations and labors. The courses of study in these schools embrace the usual academic branches—arithmetic, grammar, composition, United States history, physiology, etc. But in addition to those studies students are given work in agriculture, soil analysis, stock judging, domestic science, poultry and bee culture, horticulture, dairying, chemistry as applied to fertilizers, etc.

The location of the schools in different sections of the state has enabled the students to make a comprehensive study of the various natural resources of the state. By exchanging reports every student is made familiar with the possibili-

ties of every section of Arkansas and the graduates who engage in agricultural and horticultural pursuit of stock raising enter upon their vocation with a scientific knowledge of what is essential to success. Each school is well equipped with modern buildings, apparatus and all the other adjuncts of the best agricultural schools of the country. From the time they were established to the present, the state has, through the General Assembly, appropriated funds to carry on the work. The appropriations for higher education by the Legislature of 1921 were as follows:

University of Arkansas	$1,530,869.00
State Normal School	212,628.80
Branch Normal School	122,883.43
First District Agricultural School	124,985.07
Second District Agricultural School	137,371.55
Third District Agricultural School	111,870.73
Fourth District Agricultural School	154,956.15
Vocational Education	272,800.00
Total	$2,668,364.73

It will be noticed that some of the district agricultural schools received larger appropriations than others, but at past sessions of the General Assembly other schools had been favored, and at future sessions those who received small appropriations in 1921 will doubtless receive more liberal treatment. The policy of the state is to keep each school provided with everything that will increase its usefulness, and in the course of a decade all fare about alike.

CHAPTER XXXI

ACADEMIES AND COLLEGES

BATESVILLE ACADEMY—FAYETTEVILLE FEMALE ACADEMY—FROM 1836 TO 1846—FROM 1846 TO 1860—ARKANSAS COLLEGE—ARKANSAS COLLEGE NO. 2—ARKANSAS CUMBERLAND COLLEGE—ARKANSAS FEMALE COLLEGE—BENTONVILLE COLLEGE—CANE HILL COLLEGE—CENTRAL BAPTIST COLLEGE—GALLOWAY COLLEGE—HENDERSON-BROWN COLLEGE—HENDRIX COLLEGE—ST. JOHN'S COLLEGE—OUACHITA COLLEGE—OTHER COLLEGES—CATHOLIC SCHOOLS—ST. MARY'S ACADEMY—ST. ANDREW'S COLLEGE—ST. ANNE'S ACADEMY—ST. CATHERINE'S ACADEMY—ANNUNCIATION ACADEMY—SUBIACO COLLEGE—LITTLE ROCK COLLEGE—PAROCHIAL SCHOOLS—COLORED COLLEGES.

During the territorial period and the early years of statehood, before the public school system was inaugurated, private schools were established in various parts of Arkansas. By courtesy many of these schools were called "academies," though their course of study rarely covered more advanced grades than those of the ordinary public school of the present time. For several years after the admission of the state into the Union, there was hardly a session of the Legislature that was not called upon to incorporate one or more academies. The first of these was the

BATESVILLE ACADEMY

The act incorporating this academy was approved by Gov. James S. Conway on September 26, 1836. In a preamble it set forth that the inhabitants of Batesville had made arrangements to build an academy for the instruction of youth, and that such an undertaking deserved the encouragement of the state through legislative action. The trustees named in the act were: Aaron W. Lyon, Isaac Folsom, Charles McArthur, Joseph H. Egner, Charles H. Pelham, William Moore and Lawson Henderson. These trustees were required "to educate all the students gratis at such academy in all or any of the branches of education which they may require, whenever the funds of the institution shall in the opinion of the trustees permit." It was also provided that the trustees and instructors should give no preference nor make any discrimination on account of religious sentiment, or "at any time make any by-laws, ordinances or regulations that may in any wise interfere with or in any manner control the right of conscience or the free expression or exercise of religious worship."

The Batesville Academy was the outgrowth of a school established there in 1833. Aaron W. Lyon, whose name appears as one of the trustees, was a graduate of Nassau Hall, New Jersey, one of the best known educators in Arkansas in his day, and was for many years principal of the academy. Under his man-

agement the school became widely known and some of its students afterward became prominently identified with Arkansas public affairs.

FAYETTEVILLE FEMALE ACADEMY

As early as February 1, 1836, the trustees of the Fayetteville Female Academy advertised that they had engaged Mr. and Mrs. Mecklin, "teachers of experience," to take charge of the school. Fayetteville was then little more than a name, as the town was not given a corporate existence until the following November. The academy was incorporated on October 26, 1836, with the following board of trustees: Albert B. Anthony, William McK. Ball, Lodowic Brodie, John Cureton, Onesimus Evans, Joseph M. Hoge, William T. Larremore, Libron G. Sneed and David Walker.

This academy, the first educational institution of consequence in Fayetteville, formed the nucleus of the movement that afterward made Washington County an educational center, and no doubt wielded an influence in securing the location of the University of Arkansas there after the war.

FROM 1836 TO 1846

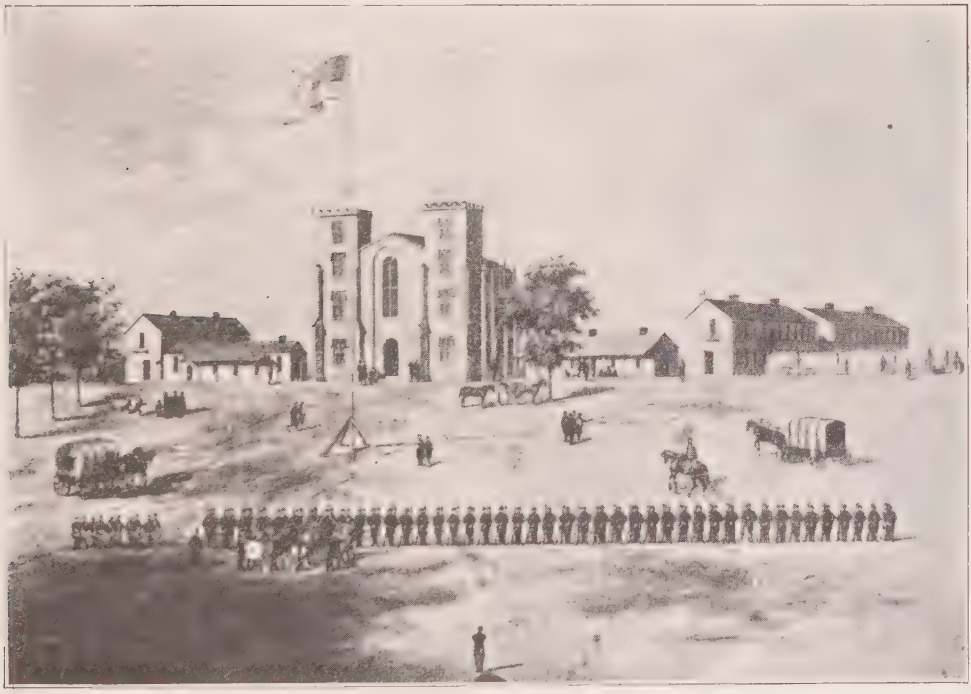
The Batesville and Fayetteville academies were chartered by the first State Legislature. During the next ten years a score or more academies were established, some of which were not incorporated. The Lewisburg (Morrillton) Academy was chartered by the act of November 20, 1838, with H. A. Berry, H. H. Higgins, B. F. Howard, D. D. Mason, Thomas Mathes, Nimrod Menefee, Edward E. Nash, E. W. Owens and J. J. Simmons as trustees. This was the third academy to be incorporated by special act of the General Assembly.

On December 4, 1838, Gov. James S. Conway approved an act incorporating the Little Rock Academy. The incorporators named as trustees in the act were: Richard D. C. Collins, Matthew Cunningham, Peter T. Crutchfield, James DeBaun, Absalom Fowler, Lorenzo Gibson, Benjamin Johnson, James Pitcher and William E. Woodruff. Four of these trustees—Cunningham, Fowler, Johnson and Woodruff—were among the most prominent men in the state. Private schools had been taught in Little Rock before this academy was incorporated, Jesse Brown, Allen M. Scott and a man named Wright were among the first teachers.

Three days after the Little Rock Academy was incorporated, Sandford C. Faulkner, William H. Gaines and Benjamin L. Miles (trustees) were authorized by act of the Legislature to lease the sixteenth sections in Chicot County and establish an academy in the western part of the county. The act required the English language to be a part of the course of study.

At the session of 1840 two academies were incorporated. The Rocky Comfort Academy received its charter on December 24, 1840, with Robert Hamilton, Benjamin G. Hatfield, Benjamin F. Hawkins, James Holman, Jacob Lowell, John W. Nunnelly and George Taafe as trustees. These trustees had erected a house before they applied to the General Assembly for incorporation. Ashbel G. Brown was at the head of this academy as principal for many years. Before coming to Arkansas he had been an instructor in Greek and Latin in the University of North Carolina. After the establishment of the academy, his sister,

FAYETTEVILLE FEMALE SEMINARY, FOUNDED BY MISS SOPHIA SAWYER



ST. JOHN'S COLLEGE, LITTLE ROCK

Elizabeth I. Brown, coöperated with him in founding the Rocky Comfort Female Seminary. She was an experienced teacher and the two institutions educated a large number of men and women in Southwest Arkansas.

Pocahontas Academy, in Randolph County, was incorporated on Christmas Day in 1840. At the head of the board of trustees stood the name of Thomas S. Drew, afterward governor of Arkansas. His associates were James H. Harton, Thomas O. Marr, P. R. Pittman, Henry Slavens, B. J. Wiley and F. R. Wilton.

Lewisville Academy, located at the county seat of Lafayette County, was incorporated by the act of January 16, 1843. The trustees named in the act were: Morgan Crier, Lewis B. Fort, Josiah Garland, Henry M. Lamay, John Steele, Edmund L. Strange, Daniel Sullivan, John Waggoner, Josiah N. Wilson and Morehead Wright. Josiah N. Wilson was a member of the constitutional convention of 1836 and Morehead Wright was elected to represent Lafayette County in the Legislature of 1840.

On January 31, 1843, Benton Academy, in Saline County, was incorporated with the following trustees: Charles Caldwell, Samuel J. Cook, David Dodd, Alfred C. Hockersmith, D. C. McDaniel, James Moore, Wallace O'Conner, E. M. Owens, Green B. Hughes, Thomas Rowland, George W. Rutherford, Samuel M. Rutherford and William Scott. This academy was authorized to establish a department of agriculture, but students were not required to take this part of the course without the consent of parents or guardians.

As early as April, 1836, the trustees of the Spring Hill Female Academy advertised that they had engaged Miss Elizabeth Pratt as principal. The rate of tuition was $20 per quarter for the common branches and $25 per quarter for the higher branches. Miss Pratt had formerly been connected with Miss Willard's school, Troy, New York. About twenty-five girls were enrolled in 1836.

Spring Hill is located about fifteen miles south of Washington, Hempstead County, and about ten miles from the Red River. A male academy was subsequently established there under the auspices of the same board of trustees, viz: Thomas M. R. Bankhead, Henry C. Boyd, William M. Burton, Robert Carrington, Stephen F. Cocke, Samuel B. Flint, Williamson Foster, Joel Hannok, Norborne F. Nelson, Phineas Nash, John W. Paup and Richard Pryor. The male academy was incorporated on November 25, 1844, and the female academy was incorporated on the 6th of December following. How long Miss Pratt remained at the head of the latter institution is not known. The principal of the male academy from 1849 to 1859 was John Anderson, a native of Ireland and a graduate of Belfast College. Augustus H. Garland, afterward governor, was prepared for college at this institution.

The Far West Academy, located in Washington County, was one of the most pretentious of the early educational institutions. It seems to have been the object of the promoters to give it a wider scope than most of the academies of that period. The board of trustees numbered thirty-two members, to wit: Hugh A. Anderson, Joseph M. Hoge, Robert W. Mecklin, James Spring and Cephas Washburn, of Benton County; James Boone, Andrew Buchanan, A. W. Arrington, W. D. Cunningham, Edward Freyschlag, W. T. Larremore, Matthew Leeper, M. A. Lynde, John Harrell, Joseph P. Moore, Samuel Newton, Isaac Murphy, Thomas J. Pollard, James Orr, Benjamin H. Pierson and David Walker,

of Washington County; Edward Cunningham, David McManers and George W. Paschal, of Crawford County; James M. Moore and William W. Stevenson, of Pulaski County; Aaron W. Lyon, of Independence County; John McMillen, of Carroll County; James Lockridge, of Madison County; A. R. Banks, of Hempstead County; J. S. Phelps, of Springfield, Missouri; and Benjamin F. Thompson, of the Cherokee Nation.

David Walker was afterward chief justice of the Arkansas Supreme Court, and Isaac Murphy was governor of the state. Aaron W. Lyon, another member of this board, was principal of the Batesville Academy, the first incorporated academy in the state, and Rev. Cephas Washburn was the founder of the Cherokee mission in 1820. The articles of incorporation contained a provision that, in addition to the regular academic course of study an agricultural and mechanical department should be conducted, and that premiums should be awarded to students acquiring a practical knowledge of agriculture or some one of the mechanic arts. The academy was located in Washington County, on land donated by W. D. Cunningham, Allen and Joseph P. Moore, John Pollard, J. M. and Solomon Tuttle, and for a number of years it was one of the leading educational institutions of the state.

In 1840 John Carnall opened a school in Fort Smith, with twenty pupils in attendance. The expense of founding this school ($500) was borne entirely by Capt. John Rogers. In 1841 the attendance increased to thirty and the next three years showed a steady growth. On January 9, 1845 the school was incorporated by act of the Legislature as the Fort Smith Academy, with John Rogers as president of the board of trustees. The other members of the board were George S. Burnie, Joseph Bennett and W. R. Johnson. Mr. Carnall was the first man to urge upon the United States Congress the donation of the Fort Smith military reservation to the city for the use of its public schools. One of the buildings of the University of Arkansas bears the name of Carnall Hall.

Washington Male and Female Academy, located at Washington, Hempstead County, was established by the Methodist Episcopal Church, with Jacob Custer as business agent and the following board of trustees: W. B. Arnold, Andrew Clark, John W. Cocke, James Gibson, William Moore, H. B. Poindexter, Grandison D. Royston, J. B. Sandefur, Simon T. Sanders, C. C. Scott, H. W. Smith, James W. Smith, John Stevenson, James Turrentine and Thomas Williamson. It was incorporated on December 11, 1846, but it seems to have been short-lived. The last mention of the academy in Jewell's "History of Methodism in Arkansas" is for the year 1849, when the school was under the management of H. C. Thweat.

FROM 1846 TO 1860

After 1846 the public school system cut more of a figure in the educational affairs of Arkansas, though that system was not placed upon a firm foundation until after the Civil war. Between 1846 and 1860 a considerable number of academies were established. Some of these institutions lasted but a short time, others maintained a precarious existence for several years, and a few continued until the breaking out of the war in 1861. Following is a list of the academies incorporated during this period, with the date of charter. These institutions were coeducational except where otherwise stated:

Arkansas Military Institute (Tulip), December 17, 1850.
Atlanta Academy, February 3, 1859.
Batesville Institute, January 8, 1853.
Batesville Academy, December 6, 1854.
Bluff Springs Academy (Marion County), January 18, 1855.
Boston Academy (Franklin County), December 20, 1852.
Cane Hill Collegiate Institute, December 26, 1850.
Cane Hill Female Seminary, December 10, 1852.
Chambersville Academy, February 8, 1859.
Chicot Academy, January 15, 1857.
Clarksville Female Seminary, January 1, 1855.
Clarksville Institute, January 1, 1849.
Crawford Institute (Van Buren), December 18, 1854.
Crooked Creek Male Academy (Marion County), February 4, 1859.
Dardanelle Female Institute, January 14, 1857.
Ewing Institute (Johnson County), February 18, 1859.
Fayetteville Female Institute, December 16, 1858.
Fayetteville Female Seminary, January 21, 1859.
Fountain Hill Academy (Ashley County) January 26, 1851.
Franklin Male Institute (Ozark), December 31, 1860.
Hampton Academy, February 5, 1859.
Huntsville Masonic Institute, December 20, 1854.
Lacy Academy (Drew County), January 6, 1853.
Magnolia Female Institute, February 5, 1859.
Marysville Academy, December 28, 1860.
Mountain Home Academy, February 21, 1859.
Mount Holly Academy, January 15, 1857.
Oil Trough Academy, November 29, 1852.
Perkins Institute (Smithville), December 20, 1854.
Pine Grove Academy (Bingen), ——, 1848.
Pleasant View Academy (Huntsville), January 8, 1855.
Princeton Male Academy, January 1, 1855.
Princeton Female Academy, January 10, 1855.
St. Charles Academy, February 5, 1859.
Searcy Polytechnic School, February 18, 1859.
Tulip Female Collegiate Assembly, December 17, 1850.
Van Buren Female Academy, December 21, 1858.
Warren Seminary, February 4, 1859.
White Sulphur Springs Female High School, February 21, 1859.

The last name institution was located in Jefferson County. During the same period (1846 to 1860) a number of institutions were incorporated as "colleges." Among these were Jefferson Female College, at Pine Bluff; Ouachita Conference Female Colleges, at Camden and Tulip; the Arkansas Synodical College, at Arkadelphia; Phi Kappa Sigma College, at Monticello; Makemie College, and Soulesbury College, at Batesville. A few schools were incorporated in January, 1861, but before they were placed on a solid footing the war came and educational work in the state practically ceased. Following is a brief his-

tory of each of the principal colleges of Arkansas, some of which are no longer in existence.

ARKANSAS COLLEGE

The first institution to bear this name was founded at Fayetteville on December 14, 1852, "to establish departments for the study of any or all of the learned liberal professions, to institute and grant diplomas in the same, to constitute and confer the degree of doctor in the learned arts, sciences and belles lettres, and to confer such other academical degrees as are usually conferred by the most learned universities."

The college opened with Robert Graham, A. M., president; William Baxter, T. B. Van Horn, J. M. Pettigrew and Professor Carpenter, members of the faculty. At one time the enrollment numbered about two hundred students. Six classes were graduated, but in 1862 the college buildings were burned and the institution came to an untimely end.

ARKANSAS COLLEGE NO. 2

As far back as 1854 the Presbyterian Church organized the Batesville Academy, a frame building was erected and a school conducted for several years. A charter had been secured some months before the academy was founded for an institution to be called "Makemie College," but it was not established. The Civil war put a stop to educational activities, but in the spring of 1867 Rev. Isaac J. Long came to Arkansas from South Carolina, "to look over the field." The Batesville Academy was then revived and under the management of Mr. Long soon recovered all its former prestige.

In 1871 a campaign was inaugurated to raise funds for the school. The citizens of Batesville pledged themselves to raise one-half of the amount necessary for a new building, on condition that it remain permanently at Batesville and be conducted as a nonsectarian school, although the Presbyterian denomination might retain control. This proposition was submitted to the presbytery at the spring meeting in 1872 and it was formally accepted. The new building was erected and in October, 1872, the institution was incorporated under the name of Arkansas College. The first board of trustees was composed of Rev. T. R. Welch, Rev. Isaac J. Long, V. H. Henderson, J. F. Allen, A. W. Lyon, W. J. Burt, W. W. Kerr, Rev. D. C. Boggs, W. L. McGuire, E. R. Goodwin, W. K. Patterson and M. A. Wycough. Rev. T. R. Welch, of Little Rock, was chosen president and occupied that position until his death on March 25, 1886.

In 1920-21 a new three-story brick dormitory was erected with all the modern conveniences. A number of improvements were made in the old buildings and additions to the equipment. The enrollment during that year was the largest in the history of the college. The faculty then numbered sixteen persons.

ARKANSAS CUMBERLAND COLLEGE

After the decline of Cane Hill College, the Cumberland Presbyterian Church was without a school in Arkansas. An educational commission was appointed

by the synod to raise $50,000 to endow a new college. This commission was composed of S. L. Black, S. H. Buchanan, F. R. Earle, A. C. Evans, E. B. Henry, S. H. McElvaine and George O. Rike. After the work was well under way and the success of the institution was assured, the commission called a meeting of the synod at Little Rock on April 15, 1891, to consider the propositions for a location.

The synod met pursuant to the call and after considering the claims and offers of different localities selected Clarksville as the site for the college. A board of trustees was then appointed with power to make all necessary arrangements. The board organized on May 5, 1891, and on the 7th of September following the college was opened. It is now popularly known as "the College of the Ozarks."

ARKANSAS FEMALE COLLEGE

A few years after the close of the Civil war, some of the leading families of Little Rock felt the need of better educational facilities for their daughters and determined to organize a school that would meet the demand. The result was the incorporation of the Arkansas Female College in August, 1871, with the following board of trustees: A. H. Garland, E. H. English, W. D. Blocher, Dr. J. J. McAlmont, B. T. Embry, W. C. Ratcliffe, J. G. Fletcher, I. C. Mills, Dr. J. B. Bond, D. J. Fones, W. Thompson and C. T. Walker.

Some time was spent in preparation and the school did not open until October 1, 1874. It was first located at 411 East Seventh Street, where it remained until 1889, when it removed to new buildings on the corner of Fourteenth and Rock streets. In June, 1878, the management of the institution was turned over to Mrs. Myra C. Warner, A. M., who had been connected with the college from its foundation. Associated with her were Miss Julia M. Warner, Miss Ellen M. Jewell and Mrs. Mary Dewey. Mrs. Warner was an educated woman of fine executive ability and under her management the school prospered for several years. With the great improvements made in the public school system, especially the establishment of the high schools, the patronage of the college declined and it was finally discontinued.

BENTONVILLE COLLEGE

This institution was chartered in 1894. It is the outgrowth of the Pea Ridge Academy, which was founded in 1874 by J. R. Roberts. The academy was incorporated in 1884. During the next five years a new building was erected, the enrollment was increased to 250, when it was decided to enlarge the course of study and incorporate as a college. The first board of trustees under the new charter of 1894 were: J. R. Roberts, president; J. A. Steward, secretary; John Hall, P. W. Roberts, S. B. Smith, H. H. Patterson, George T. Lincoln, R. J. Laughlin, J. D. James and W. B. Dean. Doctor Roberts remained at the head of the college for two years, when he resigned and went to Springfield, Missouri. Bentonville College is a small institution, but its course of study compares favorably with that of some of the larger colleges.

CANE HILL COLLEGE

B. W. McDonald, in his "History of the Cumberland Presbyterian Church," says: "On the 28th day of October, 1834, a meeting of the Cumberland Presbyterians of Washington County, Arkansas, was held in the Cane Hill meeting house for the purpose of taking the necessary steps to establish a school. * * * This school was opened in April, 1835, and was probably kept up in some form until seventeen years afterward, when Cane Hill College was chartered. This school in the wilderness, some say, was the first institution of learning ever established on Arkansas soil. Its prime object was to educate young men preparing for the work of the ministry."

A hewed log house of two rooms was built and served as a school building until a few years before the commencement of the Civil war. Among the instructors was Rev. Cephas Washburn, a missionary widely known in the early history of Arkansas. In 1850 a brick building was erected and on December 15, 1852, the college was incorporated by act of the Legislature. At the beginning of the year 1861 the college was in a flourishing condition. Then many of the young men in attendance joined a company of state troops and in May the institution closed its doors. The close of the war found the buildings in ruins, but in 1868 a frame building was erected and the college was reopened, with Rev. F. R. Earle at the head of the faculty of three members.

Regular terms were held and classes graduated until October 10, 1885, when the college building was burned. Temporary quarters were obtained and the following year a substantial brick building, two stories high, was erected. The last class of graduates was that of 1887—two young men and one young woman. After struggling along for two years more, the institution closed its doors.

CENTRAL BAPTIST COLLEGE

Prior to the Civil war the Baptist Church made some attempts to establish schools in Arkansas. The Fayetteville Female Institute, the Camden Female Institute, chartered as early as 1858, were Baptist institutions. In 1870 Mississippi College, located at Clinton, Mississippi, was adopted by the Arkansas Baptist state convention as a school for young men studying for the ministry. During the next decade several Baptist schools were established in Arkansas, but none of them attained to the prominence anticipated by their founders.

At the state convention held at Eureka Springs in November, 1890, a committee of seven was appointed to "investigate and report to the next session of this body the necessity, availability and practicability of building a college for the exclusive education of females in this state." The committee reported in favor of the college at the Arkadelphia convention in October, 1891, and also announced that several places would "give a sum sufficient to build and put in operation an institution of that character."

G. W. Bruce, I. R. Hall, A. J. Kincaid, J. W. Lipsey, B. G. Maynard, G. W. Reeves and J. G. B. Simms were then appointed a board of trustees, "with all the authority as such," to select a location, etc. The minutes of the Fort Smith convention a little later show that "Conway offered a subscription list of $27,582 and a campus of ten acres. It tendered partial plans of buildings

and a guarantee by fifteen citizens that it would construct the buildings as planned by January 1, 1893, free of debt to the committee or denomination."

This offer was accepted and the school opened at Conway in the fall of 1892, with C. M. Williams in charge and fifty-six young women in attendance. The following year J. G. Lile, a graduate of Ouachita College, succeeded Mr. Williams as president and the enrollment was over one hundred. Since that time the growth of the college has been steady and it is recognized as one of the state's representative educational institutions. Graduates are granted state teachers' certificates without examination, which is evidence of the high standard maintained.

GALLOWAY COLLEGE

On May 3, 1888, the Galloway Female College, located at Searcy, was incorporated and the main building was dedicated on April 18, 1889, by Bishop C. B. Galloway, for whom the institution was named. It is the property of the Methodist Episcopal Church South and is controlled by trustees selected from the three Arkansas conferences. The college was formally opened on September 11, 1889.

The main building is of brick, four stories high, with a front of 189 feet and a porch running the full length of the building. It contains a chapel, five recitation rooms, a dining room, double parlors, sixty-three bedrooms, kitchen, bathrooms, steam heated and fitted up with modern conveniences. In 1899 the building was destroyed by fire, but was immediately rebuilt according to the original plan through the generosity of the citizens of Searcy. The new building was occupied in 1900. Galloway advertises as "a school of honest work, whose graduates recognize no aristocracy except that which arises from character, who demand no passport except honest endeavor."

HENDERSON-BROWN COLLEGE

Jewell, in his "History of Methodism in Arkansas," published in 1892, says: "The Arkadelphia Female College, located at Arkadelphia, was organized in 1891. Excellent brick buildings have been erected and a good faculty secured under the presidency of Rev. G. C. Jones, with every prospect of final success."

At the time this was written the school was only about one year old. It retained the name of Arkadelphia Female College until after the beginning of the present century, when it was changed to Henderson-Brown College. Early on the morning of February 3, 1914, the main building was discovered to be on fire. There were in the building over one hundred young women, many of whom were rescued clad only in their night clothes. A mass meeting was held, temporary quarters were tendered and only one day's school work was lost. Liberal subscriptions were made by the citizens of Arkadelphia for rebuilding. These subscriptions, with the insurance of $50,000 carried by the trustees enabled the management to occupy a new building on February 3, 1915, just one year from the date of the fire. The cost of the new building was $90,000. In 1919 a new administration building and dormitory, two stories high with basement,

was erected at a cost of $225,000. The enrollment for the school year of 1920-21 was almost four hundred students. Henderson-Brown is one of the leading Methodist colleges of the Southwest.

HENDRIX COLLEGE

In 1871 Isom L. Burrow established a seminary at Morrillton. Four years later he removed to Altus, Franklin County, and opened the Central Collegiate Institute. Although a private institution it was recognized by the Methodist conferences of the state, which adopted it as a training school in 1882. The Arkansas annual conference of 1883 authorized its centenary committee to take the necessary steps for the establishment of a "male college." In June, 1884, the committee purchased Mr. Burrow's property at Altus for $12,500. The same year the Little Rock Conference became a joint owner and the White River Conference entered the alliance in 1886.

In June, 1887, a reorganization was effected by the election of Rev. A. C. Millar to the presidency, and in 1889 the name was changed to Hendrix College, in honor of Bishop E. R. Hendrix. Up to this time the school had been coeducational, but with the opening of Galloway College, at Searcy, Hendrix became exclusively a male college. (It was subsequently made coeducational.) President Millar brought the question of removal before the conferences in 1889 and the trustees were vested with full power to settle the question. The City of Conway came forward with an offer of thirty acres of ground for a campus and $72,000 in subscriptions, $55,000 of which was guaranteed.

The trustees accepted the offer and the school opened at Conway on September 16, 1889, in a building called "Tabor Hall." This building had been erected by a committee of Conway men, consisting of Rev. E. A. Tabor, John Harrod, W. W. Martin, J. C. Gist, D. O. Harton and J. E. Martin. Capt. W. W. Martin's original gift to the college was $11,000. Subsequent donations increased the amount of his benefactions to $75,000. The corner-stone of the main building was laid on October 1, 1889, and it was fully completed in December, 1891. Ex-Gov. George W. Donaghey was at one time a member of the board of trustees of this college, which is one of the most prominent denominational schools in the state.

ST. JOHN'S COLLEGE

About 1848 the scarcity of educational facilities was felt by thinking men. Elbert H. English, for years grand master of the Arkansas Masonic Grand Lodge and afterward chief justice of the Supreme Court, conceived the idea of a college to be conducted under the auspices of the Masonic fraternity. Through donations from the grand and subordinate lodges and friendly individuals, enough money was obtained to purchase a tract of 105 acres of land in the suburbs of Little Rock. On December 31, 1850, the institution was incorporated under the name of St. John's College. The work of building was not commenced until 1857 and it was ready for occupancy in the fall of 1859. A military academy was then opened with John B. Thompson, of Richmond, Virginia, as

president; J. F. Bronaugh, also a Virginian, vice president; and John B. Lewis, drill master.

During the first year the attendance was good and the college started its career with excellent prospects. Then the war came on and its doors were closed. Thompson, Bronaugh and Lewis all entered the Confederate army and the cadets were organized into a company called the "Capital Guards," commanded by Gordon N. Peay. Thompson was killed at Shiloh, Bronaugh fell during the siege of Petersburg, and Lewis was the only one of the original instructors to survive the war. The buildings were used for hospital purposes, first by the Confederates and later by the Northern troops.

In 1868 or 1869 the college was reorganized with Oliver C. Gray as president and the following board of trustees: Elbert H. English, Luke E. Barber, R. L. Dodge, John Kirkwood, Rev. T. R. Welch, J. J. McAlmont, Samuel W. Williams, J. W. Faust, J. W. Rison, W. D. Blocher, S. L. Griffith and D. E. Jones. Associated with Professor Gray were W. C. Parham and Theodore Jobe as instructors. Jobe was succeeded by R. H. Parham in 1872 and the same year W. A. Banks was added to the faculty. Part of the time under this management the school was coeducational. When Goveror Elisha Baxter was ousted from the state house in the spring of 1874, he established his headquarters at St. John's College, the cadets acting as his body-guard. The Brooks-Baxter war caused the institution to cease activity for a time. After the gubernatorial dispute was settled, it reopened with Rev. A. R. Winfield as president, Mr. Gray having resigned to accept the chair of mathematics in the University of Arkansas.

The establishment of public schools, the troubles encountered during the war and the decline in patronage caused the grand lodge to discontinue the school and order the sale of the property. With the proceeds of the sale the Masonic temple on the corder of Fifth and Main streets was erected. Where the college once stood is now one of the residence districts of the City of Little Rock.

OUACHITA COLLEGE

At the Baptist state convention at Fayetteville in 1883, it was resolved that a college under the control of the Baptist Church was a necessity. A commission was appointed to present the question to the churches of the state and report at the next annual meeting. When the convention met at Pine Bluff in 1884, the commission reported that the proposition met with favor, but asked for another year to make a more extended investigation. In 1885 the state convention was held at Hope. The commission reported that a number of associations had passed resolutions favoring the college and that the time for action had arrived.

A board of trustees was appointed and, after looking over the field, this board selected and obtained the buildings formerly belonging to the Blind Institute at Arkadelphia. The school was opened in September, 1886, with John W. Conger, of Tennessee, as president and 160 students enrolled. The college has been reasonably prosperous from the beginning. The enrollment for the year 1920-21 was about five hundred and in 1920 plans for new buildings were adopted, involving an expenditure of $300,000.

OTHER COLLEGES

At different times and at various points in the state, schools dignified by the name of "college" have been established, though in reality they were little more than high schools. Soulesbury College was established at Batesville by the Methodist Church in 1849 and continued until the breaking out of the war in 1861. The same church founded the Camden and Tulip female colleges a short time before the war. In 1868 the Camden Male and Female College was reorganized and continued in operation for several years. Little Rock University, organized some years prior to the beginning of the war, was conducted with varying success until 1894, when it closed for want of patronage. Quitman College, another Methodist institution, dates its existence from 1870. Peter A. Moses started a school called the Wallace Institute at Van Buren in 1861, under the auspices of the Methodist Church and in 1871 was called to Quitman.

The Baptist Church has also been active in establishing schools. From 1848 to 1860 Baptist schools were started at Fayetteville, Camden, Tulip, Arkadelphia, and perhaps half a dozen other places. These schools all ceased operations during the war. Springdale College was founded in 1871, but a few years later was sold to the Lutheran denomination. In 1896 a stock company purchased the property and opened a nonsectarian school. Buckner College, located at Witcherville, Sebastian County, in September, 1882, opened its doors for students. It was founded by the general association of Northwest Arkansas and the Indian Territory. In 1893 Mountain Home Baptist College was opened with William Denton as president of the first board of trustees and Prof. W. S. Johnson at the head of the faculty. It is located at Mountain Home, the county seat of Baxter County, has a campus of ten acres and two buildings—one of brick and one of stone.

CATHOLIC SCHOOLS

After the Jesuit mission schools were discontinued, the first Catholic school in Arkansas was established at St. Mary's mission, about five miles below Pine Bluff, by five sisters of Loretto, who came from Ste. Genevieve, Missouri, built a small frame house and opened the school in November, 1838. In 1842 they removed to Arkansas Post, where their school was known as St. Ambrose's Academy. After three years of struggle the project was abandoned and the sisters returned to Ste. Genevieve.

In 1841 three sisters of Loretto came to Little Rock from St. Mary's mission to establish a school. The block bounded by Sixth, Seventh, Louisiana and Center streets was obtained. A brick house on the premises served as a residence for the sisters, one large room being set apart for a church for the Catholics in the town. The schoolhouse was a two story frame buiding. The school was closed in 1845 and the sisters went to Ste. Genevieve, Missouri.

ST. MARY'S ACADEMY

In 1844 Rt. Rev. Andrew Byrne became bishop of the newly created diocese of Little Rock. In 1850 he went to Ireland and the next year returned with

five sisters of Mercy and eight postulants. Early in November, 1851, the sisters took possession of their new convent on the corner of Seventh and Louisiana streets and opened St. Mary's Academy. Work was interrupted during the war and after the war the progress was slow for several years. Then the academy took on new life. The buildings were remodeled and were finally outgrown. A new site was purchased on Pulaski Heights and a magnificent building 200 feet long and five stories high was erected. In 1920 the academy enrolled 300 students, of whom over one hundred were quartered in the dormitory. This is now the oldest Catholic school in the state.

ST. ANDREW'S COLLEGE

In 1851 this institution, located at Fort Smith, was opened by Bishop Byrne, with Father Walsh as president. He was assisted by Fathers Krakle, Nagle and Shanahan. The college was located upon the old parade ground of Fort Belknap, the former residence of the commanders being used as the school building. For several years the college prospered. The Civil war, the destruction by fire of the materials destined for a new college building, and the constantly increasing pastoral duties of the priests in charge caused its suspension.

St. Patrick's College had been established at Little Rock By Bishop Byrne in 1846. It was a school for boys and was in charge of Rev. John Monaghan. It was finally abandoned for want of teachers.

ST. ANNE'S ACADEMY

In 1852 Bishop Byrne bought a tract of land at Fort Smith as a site for a girl's school. Early in the following year four sisters of Mercy took passage on a steamboat at Little Rock for Fort Smith and soon after their arrival there opened St. Anne's Academy. Upon the land bought by Bishop Byrne stood the old headquarters of Gen. Zachary Taylor, and it was in this group of buildings that the school work was commenced. There were several Catholic families about Fort Smith and the academy was soon firmly established.

In common with other institutions in the South, the school suffered from the results of the war. Another blow came on December 8, 1875, when the convent was destroyed by fire. A new building was erected the following year. It is now used as St. Edward's infirmary. The present convent building was completed in 1906. St. Anne's had an enrollment of 500 pupils in 1920.

ST. CATHERINE'S ACADEMY

Bishop Byrne purchased the Biscoe residence, including ten acres of land, situated on Crowley's Ridge at Helena in 1856 and had the house remodeled for school purposes. In January, 1858, St. Catherine's Academy was opened here by the sisters of Mercy. It was practically the only school in the town—at least it was considered the best—and the Phillips County planters took advantage of the opportunity to educate their daughters.

After the war the school struggled along until 1868, when the sisters returned to Little Rock and St. Catherine's was abandoned. The property still remained

in the hands of the Catholic Church, however, and in 1879 five sisters of Charity, from Nazareth, Kentucky, came to Helena and revived the school, which is now known as the Sacred Heart Academy. A large brick building was erected soon after the sisters of Charity took possession and in 1918 a large addition was built. The enrollment in 1920 was about two hundred.

ANNUNCIATION ACADEMY

This Catholic school, located at Pine Bluff, was opened on September 27, 1880, by five sisters of Charity, from Nazareth, Kentucky, with sixty-six pupils in attendance. Ten years later the enrollment had increased to 250, many of whom were the children of noncatholic families. The first building was a two-story frame, which was moved to the rear of the premises about 1888 and a substantial two-story brick structure was erected in its place. From 1889 to 1900 the sisters in charge of the school also conducted the Colored Industrial Institute.

SUBIACO COLLEGE

In 1876 two Benedictine priests and three lay brothers were sent by the Abbey of St. Meinrad, Indiana, to establish a mission in Arkansas. They located near Spielerville, Logan County, where their first monastery was a deserted log cabin. Others followed and by 1900 St. Benedict's Priory was an attractive group of buildings surrounded by well cultivated fields. The priory was destroyed by fire in December, 1901. Before that disaster work on a new stone building had been commenced. It was then hurried forward, though the entire institution, according to the original plans, was not completed until quite recently.

Subiaco College, connected with the Abbey, was commenced in 1887, a short distance south of its present location. After the fire above mentioned it was removed to its present site, where a handsome stone building has been erected. The enrollment at the first session was only eight students. In 1920 the enrollment was over one hundred and fifty. The cost of the Abbey of Subiaco, combining church, monastery and college, was about half a million dollars.

LITTLE ROCK COLLEGE

On May 14, 1908, Bishop John B. Morris purchased the property of the Arkansas Military Academy (Twenty-fifth and Gaines streets) with the intention of founding a college. The institution was formally opened on September 16, 1908, with Rev. D. W. O'Hern as president, assisted by a number of professors, lay as well as clerical. Fitzgerald Hall was built in 1912 at a cost of $80,000, but it was soon discovered that the old site was inadequate to accommodate the increasing number of students and a new location was sought. Bishop Morris purchased forty acres on Pulaski Heights and four buildings--Morris Hall, Fitzgerald Hall, Byrne Hall and the gymnasium—were erected.

In the early years of the college the course of study embraced only the classical course, but engineering, commercial and preparatory medical depart-

ments were added after the removal. The enrollment in 1920-21 was about two hundred. Immediately after the United States entered the World war, a students' training camp was established in connection with the college, under the command of Lieut. A. E. Frederick, of the United States army, and over one hundred cadets were enrolled. To enable the graduates who had volunteered, to receive their degrees, the commencement exercises of 1917 were held a month in advance of the usual date. Seventy-five students entered the army. At the close of the war a Reserve Officers Training Corps was established at the college, with Maj. Robert McCulloch in command.

PAROCHIAL SCHOOLS

Prior to 1867 there were no parochial schools in the diocese of Little Rock. Ten years later there were but two in the state—one at Little Rock and the other at Fort Smith. During the next ten years sisters of different orders came to Arkansas. Parochial schools were established at Helena, Pine Bluff, Conway, Morrillton, Subiaco, Altus, Fort Smith, Pocahontas and a few other points.

In 1893 there were twenty-four parochial schools, with an attendance of about fifteen hundred. By 1901 the number of schools had increased to thirty-seven, with an attendance of 2,657. Only seven new schools were established during the next ten years, but the attendance grew to 3,304. In 1920 there were but few Catholic parishes in the state that did not maintain a school.

COLORED COLLEGES

Besides the branch normal school (a state institution) mentioned in the preceding chapter, several other colleges have been established for the education of the negro. Walden Seminary, at Little Rock, was organized in 1877. In 1881 work was suspended, but the conferences of the Methodist Church urged the Southern Education Society to reopen the institution. A donation of $10,500 was received from the widow and heirs of Philander Smith, of Oak Park, Illinois (afterward increased to $17,500), and on September 12, 1883, a new building was dedicated under the name of Philander Smith College, with Rev. Thomas Mason as president. The college is located at the corner of Eleventh and Izard streets. In 1883 a manual training department was added and a new dormitory for girls was built in 1884. On May 14, 1890, the corner-stone for a large addition to the original building was laid.

Arkansas Baptist College, also located at Little Rock, was established by the colored Baptists of the state. At their state convention at Hot Springs in 1884 a resolution was adopted looking forward to the founding of a school, and in the following November the first term was commenced in one of the colored churches of Little Rock. The work of the first year was conducted by Rev. J. P. Lawton, a white Baptist minister of Missouri. Since 1887 the institution has been under the management of Joseph A. Booker. The primary object was to raise the standard of intelligence among the negro ministry, then a normal department was added, and finally a regular college course. Over five thousand students have attended this school, which is located on the cor-

ner of Sixteenth and High streets. The school also owns a farm about four miles northeast of the city.

Shorter College, located at North Little Rock, is of more recent origin. In the spring of 1921, the president, Dr. S. L. Greene, received a gift of $5,000 from an educational foundation in New York and during the year received $2,000 in donations from other sources. The course of study is prepared chiefly for the purpose of giving normal training to the teachers in the rural districts. A commercial department is also maintained. A few years ago the college purchased a farm of 400 acres near Monroe, where dormitories have been erected, industrial departments inaugurated, and steps taken to maintain a property of this institution represents an expenditure of $225,000, and several first class agricultural and mechanical school.

The Presbyterians have a college for colored people at Arkadelphia. The hundred students are enrolled annually. There are a few other colored schools, but they are more of the high school or academic type.

CHAPTER XXXII

THE PRESS OF ARKANSAS

ORIGIN OF THE NEWSPAPER—ITS EVOLUTION—FIRST REAL NEWSPAPER—IN THE UNITED STATES—ARKANSAS' FIRST NEWSPAPER—WILLIAM E. WOODRUFF—ARKANSAS HERALD—ANTE-BELLUM NEWSPAPERS—ELIAS C. BOUDINOT—AFTER THE WAR—PRESENT DAY PUBLICATIONS—LIST BY COUNTIES—ARKANSAS PRESS ASSOCIATION.

In almost every office and household in the United States the daily newspaper has come to be regarded as a necessity. But as the average man reads of the world's doings, does he ever pause to consider the long process of evolution which has given him his daily record of current events? To the civilization of ancient Rome the nations of modern times are indebted for the crude idea that has been developed into the daily or weekly newspaper.

The Roman "Acta Diurna" were manuscript publications—written or engraved upon wax tablets with an instrument called a stylus. As the method of production was somewhat tedious, the edition was necessarily limited to a few copies, which were displayed in the most public places about the city, in order that the people might acquaint themselves with public questions and the news of the times. They were not issued at regular intervals, but only when some great event awakened general interest. When a new "Acta Diurna" appeared, each place where it was posted would be surrounded by interested listeners while someone read the contents.

The first publication really worthy the name of newspaper made its appearance in London in 1622, nearly two centuries after Guttenberg invented the process of printing with type. It was called The Weekly News from Italie and Germanie. Prior to its appearance the wealthier classes of Europeans had been accustomed to receiving their information of the world's doings through the medium of the Weekly News Letter, but this form of manuscript publication was too expensive for any but the rich to afford. The Weekly News from Italie and Germanie was printed upon a clumsy press operated by hand power—the invention of Nathaniel Butler—yet this primitive and imperfect machine occupies a place in history as the progenitor of the modern printing press with a capacity of several thousand newspapers hourly. The contents of this first small newspaper consisted mainly of social happenings and satirical essays until about 1641, when the parliamentary reports were published in its columns. This was the first notice given to political matters by the English Press.

In 1709 the London Courant made its appearance. It consisted of a single page and was issued every morning—the first daily newspaper ever published. With the inauguration of the daily newspaper, the press gained rapidly in popularity and influence, and the Courant was not long without competitors.

By 1760 the annual circulation of the daily papers of England was over seven million copies.

IN THE UNITED STATES

The first newspaper published in the United States was the Boston Public Occurrences, a small quarto sheet, established in 1690. Already the leaven of liberty was at work and after a brief career the paper was suspended by order of the British colonial authorities because of its radical utterances. Next came the Boston News-Letter, which was started in 1704 by John Campbell, then postmaster at Boston. A little later James Franklin began the publication of the New England Courant and conducted it for several years, when it was suspended "for want of adequate support."

Benjamin Franklin founded the Saturday Evening Post in Philadelphia in 1728. After a few years he disposed of this paper and established the Pennsylvania Gazette, which he published as a weekly until 1765, when it was merged with the North American. The New York Daily Evening Post was established in 1801 and is still in existence.

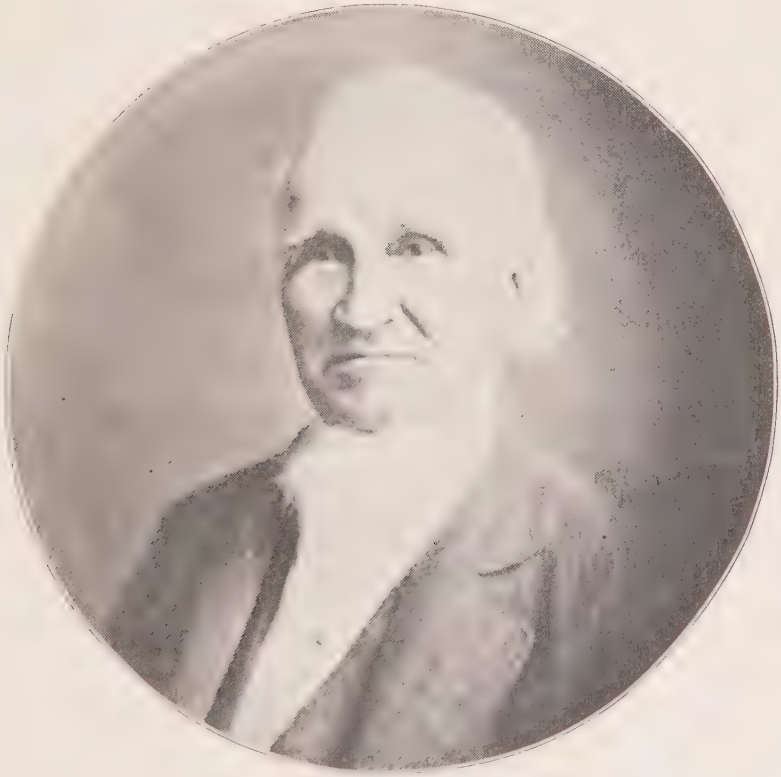
As civilization moved westward, the newspaper kept pace with the march of progress. Houck's "History of Missouri" says: "The first newspaper published west of the Mississippi was established by Joseph Charless in 1808, under the name of the Missouri Gazette, but the following year the name was changed to the Louisiana Gazette, and in 1812 the name was again changed to Missouri Gazette and Public Advertiser. In 1810 the proprietor of the Gazette was not too proud to receive from his subscribers pork and flour as pay for subscriptions."

Charless was an Irishman who fled from his native land because he became involved in a seditious movement against the British authorities. He learned the printer's trade with Matthew Carey in Philadelphia and in 1798 went to Louisville, Kentucky, where he married a Mrs. McCloud. In September, 1820, he sold the Gazette to James C. Cummins, and the next year Cummins sold it to Edward Charless, a son of the founder, who changed the name to the Missouri Republican. This paper is still published under the name of the St. Louis Republic.

According to Houck, the second paper to be published west of the Mississippi was the Western Journal, which was started as an opposition paper to the Gazette in 1815, several prominent St. Louis men advancing the money to Joshua Norvell, who was editor and publisher. It proved to be a financial failure and in 1817 the plant was sold to a man named Hall, a lawyer from Cincinnati, who began the publication of the Western Emigrant, which soon suspended.

In July, 1818, Tubal E. Strange began the publication of the Missouri Herald at Jackson, Cape Girardeau County. It was a small weekly sheet, which lived only about two years. Isaac N. McHenry and Evarist Maury, two young men from Nashville, Tennessee, started the St. Louis Enquirer in July, 1819, and about the same time Benjamin Holliday began the publication of the Missouri Intelligencer at Franklin. All these newspapers except the first named have perished.

"EDITORIAL" CHAIR OF WILLIAM E. WOODRUFF



WILLIAM E. WOODRUFF
Founder of Journalism in Arkansas. Established The Gazette, November 20, 1819.

ARKANSAS' FIRST NEWSPAPER

Saturday, November 20, 1819, was a red letter day in the annals of Arkansas, for on that day William E. Woodruff issued the first number of the Arkansas Gazette. It was the seventh newspaper to be published west of the Mississippi, but as five of those which preceded it gave up the ghost after a brief, precarious career, the Gazette is now the second oldest newspaper published west of the great Father of Waters.

William Edward Woodruff, the founder of the Gazette, was born in the little hamlet of Fireplace, near Bellport, Suffolk County, Long Island, December 24, 1795. His parents were Nathaniel and Hannah (Clarke) Woodruff. On October 18, 1810, he was apprenticed by his mother to Alden Spooner, of Sag Harbor, to learn the printer's trade. By the articles of his apprenticeship he was to serve until he was twenty-one years of age. He served his time and then sought employment as a journeyman printer. In 1817 he decided to seek his fortune in the West. Following the well known road across Pennsylvania, he arrived in due time at Pittsburgh. From there he went down the Ohio River to Wheeling, Virginia. There, with a companion, he embarked in a skiff and drifted down the Ohio to Louisville, Kentucky. At Louisville he wrote to his mother that it was his intention to ship his trunk by water to Nashville, Tennessee, and walk to that city. A few weeks later he found employment in a printing office in Nashville, where he worked for about a year. He then worked in Franklin, Tennessee, for a short time.

Young Woodruff's ambition was to become the owner of a newspaper, and he was debating in his mind whether to locate in Nashville or St. Louis, when the Territory of Arkansas was created by Congress. Seeing an opportunity "to get in on the ground floor," he purchased a small second-hand press and some type at Franklin (some say Nashville), which he had hauled to Nashville, there loaded on a keelboat and in due time was landed at Montgomery's Point at the mouth of the White River. Up to this time no steamboat had attempted the navigation of the Arkansas River, and even keel and flatboats were rare. To solve the problem, Woodruff procured two large canoes, lashed them together, and with the assistance of two boatmen passed through the "Cut-off" and on October 30, 1819, arrived at Arkansas Post, the trip from Nashville having occupied the greater part of three months.

Just at that time buildings at Arkansas Post were scarce, but Mr. Woodruff succeeded in obtaining a small log cabin, in which the first issue of his paper came from the press on November 20, 1819, as already stated. It is something of a coincidence that the first newspaper in the territory was published on the day of the first election for delegates to Congress and members of the Legislature. The Gazette was then published regularly until November 21, 1821, when the last edition was issued at Arkansas Post. The capital of the territory having been removed to Little Rock, Mr. Woodruff decided to follow the seat of government. Moving a printing outfit was something of a task in those days, and it was nearly six weeks before the office at Little Rock was in condition for business. The first edition published there was dated December 29, 1821.

In addition to the management of his newspaper, Mr. Woodruff was at times

engaged in other lines. He was for a time postmaster at Little Rock; was elected the first state treasurer in 1836; was interested in steamboating and in operating a ferry across the Arkansas River at Little Rock, and established the first circulating library in Arkansas. About 1852 he bought a tract of ground (about twenty-three acres) just outside the city limits, on what is now East Ninth Street, and built a large brick residence. When the Federal troops occupied Little Rock in 1863, Mr. Woodruff was banished, and his residence, except two rooms, was taken by the military authorities, first as a residence for officers and later as a hospital.

On November 14, 1827, William E. Woodruff and Miss Jane Eliza Mills were united in marriage. Of the eleven children born to this union, two died in infancy, one son was drowned in the Arkansas River, three sons and five daughters survived their father, whose death occurred on June 19, 1885. His widow died on February 28, 1887. One son, William E., was state treasurer from 1881 to 1891.

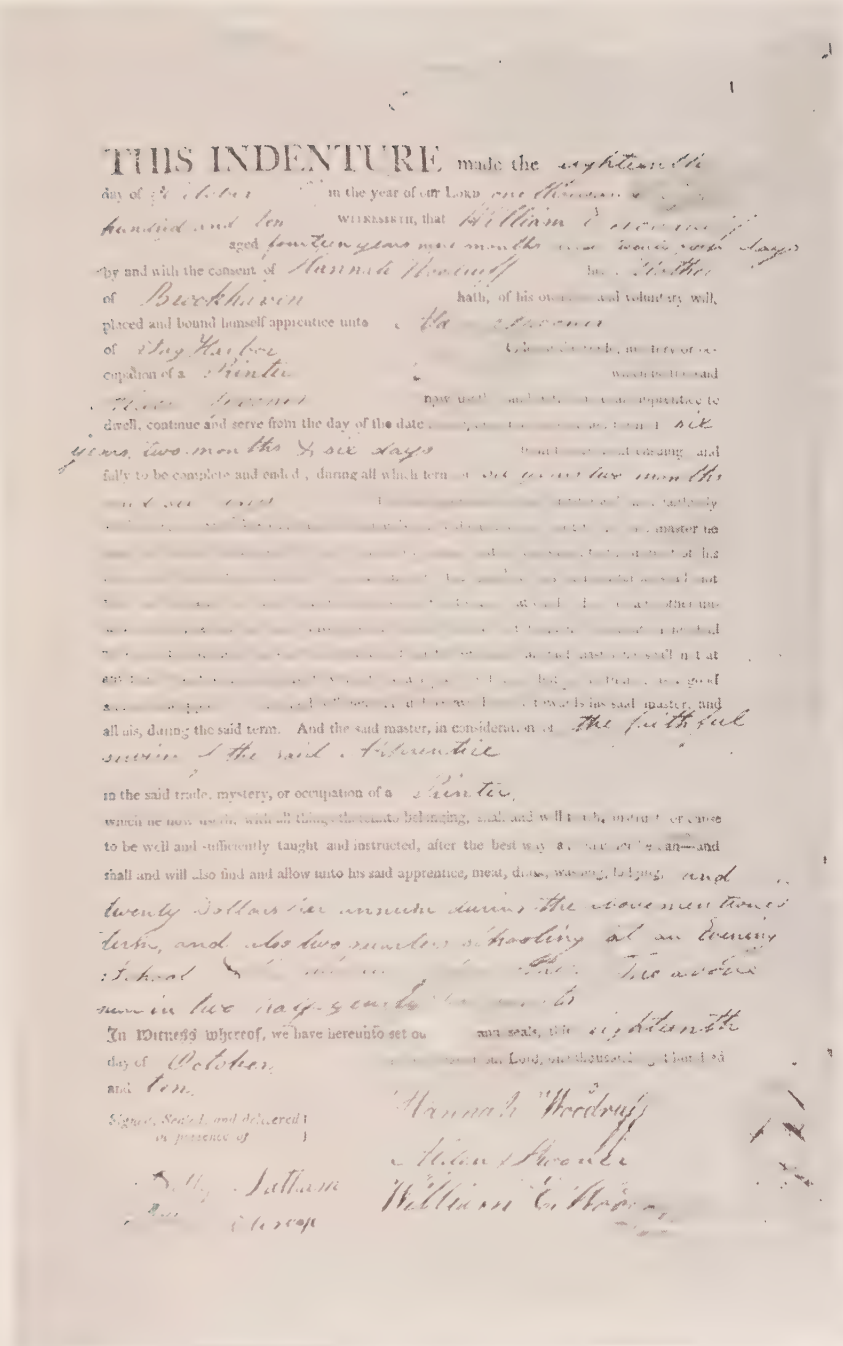
In May, 1836, Thomas J. Pew became a partner of Woodruff and, while the latter was state treasurer, practically had charge of the paper. On May 16, 1838, Mr. Woodruff again became "editor and sole proprietor," but on the 12th of the following December sold out to Edward Cole, who in turn sold to George H. Burnett in December, 1840. Burnett died, leaving the paper in debt to Woodruff, who again became the owner on December 22, 1841. On January 4, 1843, Woodruff sold the Gazette to Benjamin J. Borden and on May 21, 1846, issued the first number of the Arkansas Democrat. In February, 1850, the Gazette once more passed into the hands of its founder, who consolidated it with his new paper under the name of the Arkansas State Gazette and Democrat, which name was carried until 1860.

C. C. Danley purchased the paper in May, 1853. During the next thirty years there were several changes in ownership. Among those who owned or held an interest in the Gazette during that period were Solon Borland, W. F. Holtzman, W. E. Woodruff, Jr., W. D. Blocher, John D. Adams, A. H. Sevier and Dean Adams. In 1883 the Gazette Company was organized with D. A. Brower, president; George R. Brown, vice president; J. S. Whiting, secretary and treasurer. Numerous changes in the personnel of the company occurred during the next nineteen years. The present Gazette Company took possession on June 2, 1902, with the following officers: J. N. Heiskell, president and editor-in-chief; C. W. Heiskell, vice president; Fred W. Allsopp, secretary and business manager; Fred Heiskell, managing editor. Such in outline is the history of Arkansas' first and oldest newspaper.

THE ARKANSAS HERALD

The Gazette of September 22, 1821, carried an announcement of John H. Wilkins & Company of a new newspaper styled the Arkansas Herald, to be published at Davidsonville, Lawrence County—"A weekly, with new type, on a medium sheet, at $5.00 per annum. Publication to begin about November 1st."

In the prospectus, as published in the Gazette, the publishers said: "When the immense extent of territory in which there is no press in the Arkansas is adverted to, an extent believed to be greater than any other settled district



THIS INDENTURE made the eighteenth
day of October in the year of our Lord one thousand
hundred and ten WITNESSETH, that William E. Woodruff
aged fourteen years one month and twelve days
by and with the consent of Hannah Woodruff his Mother
of Brookhaven hath, of his own free and voluntary will,
placed and bound himself apprentice unto the Subscriber
of Sag Harbor to learn the art, mystery or
occupation of a Printer and with him, after the manner of
a Printer's Servant now dwell, and with his family to reside, according to the custom
dwell, continue and serve from the day of the date hereof, for and during the term of six
years, two months & six days next ensuing and
fully to be complete and ended, during all which term the said apprentice
his said master
in the said trade, mystery, or occupation of a Printer,
which he now useth, with all things thereunto belonging, and will teach, instruct or cause
to be well and sufficiently taught and instructed, after the best way and manner he can—and
shall and will also find and allow unto his said apprentice, meat, drink, washing, lodging and
twenty Dollars per month during the above mentioned
term, and also two months schooling at an evening
School
In Witness whereof, we have hereunto set our hands and seals, this eighteenth
day of October,
and ten.

Signed, Sealed, and delivered
in presence of

Hannah Woodruff
Alden Spooner
William E. Woodruff

APPRENTICESHIP OF WILLIAM E. WOODRUFF TO ALDEN SPOONER, MASTER PRINTER, SAG HARBOR, NEW YORK, 1810 .

in the United States presents; and the particular local advantages of the point selected for the initial publication, it cannot be doubted but a newspaper can be made interesting to the people in its vicinity as well as those more remote. The situation of Davidsonville, at the junction of Spring and Black rivers, from whence the navigation is excellent at all seasons, and the country around it being fertile, well watered and remarkably healthy for a new settled one, is the inducement for the selection of it for the intended publication. The editors of it will use their best endeavors to present a paper that shall be as valuable to their patrons and creditable to the territory as they can make it."

The writer has been unable to find a copy of this newspaper, or to learn anything definite concerning its career. It is quite likely, however, that Mr. Wilkins and his associates, after going to the expense and trouble of publishing their prospectus, really began the publication of the Herald, but it was in all probability a losing venture and soon suspended.

ANTE-BELLUM NEWSPAPERS

On March 31, 1830, the first issue of the Arkansas Advocate came from the press with the name of Charles P. Bertrand at the head of the editorial columns. It was established to support the Crittenden political faction and to oppose the party led by Ambrose H. Sevier, of which the Gazette was the organ. On the staff of this paper during its existence were Charles F. M. Noland, William Cummins, Benjamin Desha, John W. Cocke, Jesse Turner and Absalom Fowler. James Woodson Bates, called the "Junius of the West" by his admirers, and Albert Pike were among the contributors to the Advocate. Later Pike was the editor.

On January 28, 1835, A. J. Hunt began the publication of a newspaper called the Times at Little Rock. It was consolidated with the Advocate on April 28, 1837, and was afterward published as the Times and Advocate. When the political factions in Arkansas became known as the Whigs and Democrats, the Times and Advocate espoused the cause of the former and was for several years considered one of the most brilliant and effective Whig papers in the Southwest. It passed out of existence in 1843.

With the exception of the Arkansas Herald, already mentioned, it seems that no effort was made to establish a newspaper outside of the territorial capital until the autumn of 1832, when John Steele began the publication of the Helena Herald. On February 25, 1834, Steele advertised in the Gazette that he "had been induced" to establish in Little Rock "an impartial and independent Press, to be called the Political Intelligencer." It was also announced that the paper was to be published weekly, "with entirely new materials, on a large, imperial sheet at $5 per annum."

With the establishment of the Intelligencer, the Helena Herald was suspended. It is said that the Intelligencer was started to defend Governor Pope against the combined attacks of the Gazette and the Advocate, but it was not long until Steele, who wanted to be governor, joined in urging the removal of Governor Pope. The paper suspended soon after W. S. Fulton was appointed governor, and no files are in existence.

When Steele removed to Little Rock, William T. Youmans, who was a prac-

tical printer, started the Helena Democrat. In March, 1836, he changed the name to the Constitutional Journal, under which name it continued for a few years. In May, 1836, J. Garvin, "a Democrat of the Jefferson school," began the publication of the Hempstead and Red River Inquirer at Washington. Whether the weighty name was too much for it, or whether from some other cause, the paper lasted but a short time.

After Arkansas became a state there was considerable activity in the newspaper field. Between 1836 and 1860 probably fifty newspapers were established. Some soon perished, others lasted for a longer period, but only a few weathered the storm and became permanent institutions. It would be impracticable to attempt a history of each of these publications in a single chapter, but brief mention is made of the most important.

The North Arkansas began its brief career at Batesville in August, 1837, with J. W. Locke and W. J. Blackburn as the proprietors. In May, 1838, Byers & Jordan started the Batesville News. On April 17, 1839, David Lambert issued the first number of the Arkansas Star at Little Rock, a paper pledged to "the support of great constitutional principles." It lived but a short time. The Southern Shield began its existence at Helena on February 7, 1840. It was a Whig paper, published by W. L. and Q. K. Underwood, and supported Gen. William Henry Harrison for the Presidency. A paper called the Witness was established at Fayetteville in the spring of 1840. A short time before it made its appearance the Arkansas Telegraph was started at Washington by W. H. and C. Etter, the first number appearing on February 12, 1840. It was neutral in politics and continued for several years, when the name was changed to the Washington Telegraph, under which it is still published. The Arkansas Intelligencer was started at Van Buren in February, 1841.

When William E. Woodruff sold the Gazette to B. J. Borden in January, 1843, the new owner changed it to a Whig paper. This left the Democratic party without an organ. A number of prominent Democrats, among whom were Robert Ward Johnson, Elias N. Conway, Archibald Yell, John Ficklin and S. H. Hempstead formed an association to guarantee the publication of a Democratic paper. Solon Borland was brought from Tennessee to assume the editorial management, and on September 16, 1843, the first number of the Arkansas Banner came from the press. The name of this paper was subsequently changed to the True Democrat, which was edited for several years by Richard H. Johnson.

Logan & Stern began the publication of the Western Frontier Whig at Van Buren on May 14, 1844. It died with the Whig party. The first number of the Fort Smith Herald was published on June 23, 1847, by John F. Wheeler. This was the first newspaper in Fort Smith. Wheeler had learned the printer's trade at Huntsville, Alabama, and printed a newspaper for the Cherokee Indians, using the Cherokee alphabet invented by Sequoyah, for which he had special type cast. Among the editors of this paper later were Gen. S. H. Montgomery, Benjamin F. Duval and John Carnall. Three years later (1850) Wheeler withdrew from the Herald and with James H. Sparks started the Fort Smith Times, which was burned out in 1860.

On May 3, 1848, the Batesville Eagle appeared. C. F. M. Noland was editor and W. T. Cochran publisher. Late in December, 1848, W. E. Smith started

the Jeffersonian at Pine Bluff. It lived but a short time. In 1850, Luckie & Carter began the publication of the Pine Bluff Republican, which was more successful than its predecessor.

The Ouachita Herald, published by James A. Jones in 1849, was the successor of a small paper called the Camden Beacon, which was started by John Ruth in 1842 as a Whig paper. In 1853 Jones sold out to Adam Clark and James S. Whyte. It was suspended in 1862. After the war it was revived by a man named Thrower, who sold it to Thomas P. Dockery, in whose hands it again suspended. In October, 1850, Robert L. Pegues started the Arkadelphia Sentinel, neutral in politics and having for its chief object the upbuilding of the state. In May, 1852, the Western Pioneer was started at Fayetteville by W. E. Smith, formerly connected with the Jeffersonian at Pine Bluff. In September, 1853, William Quesenbury (Bill Cush) founded the Southwest Independent at Fayetteville. Quesenbury was an eccentric genius, a vigorous writer, something of a cartoonist, a humorist and a poet. At the head of his paper he carried the following: "A Journal for the encouragement of Education, Agriculture, Internal Improvements, Fine Arts, Sciences, Religion, Political Reformation and the Interests of Everybody." His paper suspended in 1856.

In the meantime the New Era was started at Batesville in June, 1851, by W. W. Lewis & Company, and on October 13, 1852, J. W. Cobb issued the first number of the Jacksonport Weekly News. The Wittsburg Messenger was established in the early part of April, 1853, by R. W. Crump. In October, 1854, J. C. Morrill began the publication of the Des Arc Citizen. The Independent Balance was started at Batesville in March, 1856, by Urban E. Fort. It was soon followed by the Batesville Sentinel, of which W. H. Russell was editor and proprietor. Cobb's paper at Jacksonport lived but a short time, and in May, 1855, P. M. Bennam and A. B. Morss began there the publication of the Tribune and True American.

On March 5, 1859, the first number of the Arkansian was issued from the press at Fayetteville by J. R. Pettigrew and E. C. Boudinot, "to advocate the principles of the Democratic party." It passed out of existence shortly after the beginning of the war in 1861. One of the men connected with this paper is deserving of more than passing mention.

Elias Cornelius Boudinot was a Cherokee Indian, born near Rome, Georgia, August 1, 1835. His father, whose Indian name was Kil-kee-nah (male deer), attended school at Cornwall, Connecticut, and while there met Elias Boudinot, of New Jersey, the friendship between the two resulting in Kil-kee-nah taking the white man's name. Upon leaving school he returned to his people in Georgia, married a young woman of the tribe, and named his son after his white friend. About that time Kil-kee-nah joined with other chiefs in favor of trading their lands in Georgia for a home in the Indian Territory. Chief John Ross led the opposition, but the Ridge-Boudinot party was too strong and the treaty was concluded in 1835. In June, 1839, Kil-kee-nah and others who had favored the treaty were assassinated by some of the Ross party, and Chief Stand Waitie sent the orphan children to friends in New England.

Elias C. Boudinot was educated at Manchester, Vermont, after which he came to Arkansas, studied law with A. M. Wilson at Fayetteville, and in 1856 was admitted to the bar. When the Arkansian was started he became one of

the editors and it was not long until his writings attracted wide attention. In 1860 he was chosen chairman of the Democratic state central committee, which brought him in touch with affairs at the capital, and he became the principal editorial writer on the True Democrat. He was secretary of the convention of 1861, which passed the secession ordinance and then aided in raising an Indian regiment for the Confederate service. Of this regiment his Indian friend and relative, Stand Waitie, was commissioned colonel and he was made major. He fought in the battles of Oak Hill and Pea Ridge and in 1863 was elected to represent the Cherokee Nation in the Confederate Congress. He then practiced law and engaged in other business enterprises until his death, which occurred at Fort Smith on September 27, 1890. He was a thirty-third degree Mason, and the funeral services were conducted by that fraternity.

On October 4, 1859, a paper called the Thirty-fifth Parallel was started at Fort Smith by A. J. Mayers. The press and type used in the publication of this paper had formerly been the outfit of the Arkansas Intelligencer, which was established at Van Buren in 1841.

AFTER THE WAR

One of the first newspapers started after the close of the Civil war was the White County Record, the first number of which was issued on November 2, 1866, by Jacob Frolich, Jr. In the winter of 1868-69 a Captain Parker was killed in White County. At that time Governor Clayton suspected the Ku-Klux-Klan of being guilty of every outrage committed in the state. Mr. Frolich, Gen. Dandridge McRae and others were accused by the governor with being Ku-Klux, implicated in the killing of Parker, and issued an order for their arrest. Frolich, hearing of the order, went to Windsor, Canada, where he worked as a compositor for $6 a week for over a year. In the meantime Clayton offered a reward of $1,000 for his capture, and a "far and wide" search was instituted. In June, 1871, Frolich returned, gave himself up to the officers of the law, and the jury returned a verdict of "not guilty" without leaving their seats in the court room. He then assumed control of his paper again and lived to see the last of the officials who had caused him so much trouble ousted from public position.

In the early part of July, 1863, J. S. Dunham started the Van Buren Press. The war was then at its height and the paper had many ups and downs during the early years of its existence. Mr. Dunham persevered, however, and continued the publication of the Press until his death, about 1912. In the fall of 1875 Thayer & Cass began the publication of the Van Buren Argus, with Granville Wilcox as editor. After the death of Mr. Dunham the two papers were consolidated as the Press-Argus.

Only a few of the newspapers established in the years immediately following the war are now in existence. One of these is the Southern Standard, which was started at Arkadelphia in February, 1868, by Adam Clark and J. W. Goulding. Mr. Clark had formerly been connected with the Ouachita Herald. Despite the difficulties thrown in his way by the reconstruction policy, he exercised the right of "free speech and a free press," and the Standard is now one of the influential weeklies of Arkansas.

The Fayetteville Democrat was started by W. W. Moore in 1860. When the war broke out he left the editorial sanctum for the firing line and the paper suspended. In 1868 E. B. and W. B. Moore purchased the press and type of the old Arkansian and revived the Democrat, the first number of which was issued on the 4th of July. They continued it until 1884, when it was sold to S. E. Marrs and J. N. Tillman. The paper is now published every afternoon except Sunday, and issues a weekly edition.

William R. Burke began the publication of the Helena World in 1871. In 1876 he associated with him William H. Coates as editor, Mr. Burke assuming the business management. The World is now published as an afternoon daily, except Sunday, and issues a Sunday morning edition.

In an address to the Arkansas Press Association in 1877, J. N. Smithee reviewed the press history of the state up to that time. Many of the papers mentioned in that address are no longer in existence. With the restoration of "home rule" in 1874, newspapers were started all over the state. Not all of them lived, some have changed their names and a few are still published. One of the most important of the latter class is the Arkansas Democrat, published every afternoon, except Sunday, and a Sunday morning edition, at Little Rock.

According to a statement in the anniversary edition of the Democrat of November 6, 1921, the paper dates its existence from October 2, 1871. In 1878 it was purchased by James Mitchell and Gen. W. D. Blocher. Mr. Mitchell was really the first great editor of the paper. He was born in Washington County, Arkansas, May 8, 1832; was educated in the common schools and at Cane Hill College; served four years in the Confederate army; was made a professor in Cane Hill College when that institution was reorganized in 1868; was elected to the chair of English Literature in the University of Arkansas in 1874; became editor of the Arkansas Gazette in 1876, and two years later assumed editorial control of the Democrat. He remained connected with the paper until a short time before his death in June, 1902.

In January, 1877, Frank D. Denton established the Batesville Guard, which is still running. Other newspapers established between 1870 and 1880 and still in existence (though some of them have been consolidated with other papers) are as follows: Camden Beacon, Forrest City Times, Harrison Times, Hope Star of Hope, Monticello Monticellonian, Osceola Times and Russellville Democrat.

PRESENT DAY PUBLICATIONS

Below is given a list of newspapers, etc., by counties, as shown by the report of the Commissioner of Mines, Manufactures and Agriculture at the beginning of the year 1921. All are published weekly, except where otherwise indicated.

Arkansas—Enterprise, New Era, DeWitt; Reporter, Gillett; Free Press (evening except Sunday), Grand Prairie News, Republican, Stuttgart.

Ashley—Observer, Crossett; Ashley County Eagle, Budget, Hamburg; Weekly, Wilmot.

Baxter—Baxter County Bulletin, Baxter County Citizen, Mountain Home; Enterprise, Norfork.

Benton—Benton County Democrat (evening except Sunday), Benton County Record, Benton County Sun, Bentonville; Herald, Decatur; Journal-Advance,

Gentry; News-Herald, Gravette; Cooperative Press, Democrat, Post (evening except Sunday), Rogers; Herald and Democrat, Register (evening except Sunday), American Evangelist (monthly), Siloam Springs; Speaker, Sulphur Springs.

Bradley—Eagle-Democrat, Watchman, Warren.

Calhoun—Arkansas Plaindealer, Hampton.

Carroll—Democrat, North Arkansas Star and Carroll Progress, Berryville; Flashlight, Times-Echo (daily), Eureka Springs; Tribune, Green Forest.

Chicot—News, Dermott; Chicot Spectator, Lake Village.

Clark—Four County Courier, Amity; News (evening daily), Siftings Herald, Southern Standard, Oracle (monthly college), Ouachita Signal (monthly college), Arkadelphia; Times, Gurdon; Messenger, Okalona.

Clay—Clay County Courier, Clay County Times, Corning; Banner, Piggott; Vitascope, Rector.

Cleburne—Jacksonian-Headlight, Heber Springs.

Cleveland—Cleveland County Herald, Rison.

Columbia—Columbia Banner, News, Magnolia.

Conway—Conway County Unit (semiweekly), Democrat, Headlight, Voice (negro monthly), Morrillton.

Craighead—Sun (evening except Sunday), Tribune (evening except Sunday), Jonesboro; Times, Lake City; Sun, Monette.

Crawford—Crawford County News, Alma; News, Mulberry; Press-Argus, Van Buren.

Crittenden—Enterprise, Earle; Reform, Marion.

Cross—Sentinel, Parkin; Cross County Democrat, Progress, Wynne.

Dallas—Tri-County Advocate, Fordyce; News, Sparkman.

Desha—Democrat (evening except Sunday), Arkansas City; Desha County Democrat, Dumas; Desha County News, McGehee.

Drew—Advance; Monticellonian, Monticello.

Faulkner—Log Cabin Democrat (evening except Sunday), Times, Bulldog (college), Normal Echo (college semimonthly), Conway.

Franklin—Express, Charleston; Democrat-Enterprise, Spectator (semiweekly), Ozark.

Fulton—Monitor, Sun, Morning Daily, Mammoth Spring; Banner, Salem.

Garland—New Era (evening except Sunday), Sentinel-Record (mornings except Monday), Arkansas Review (negro), Arkansas Thomas Cat, Arkansas Oil and Mineral News, Hot Springs.

Grant—Grant County News, Headlight, Sheridan.

Greene—Press (evening except Sunday), Soliphone (tri-weekly), Paragould.

Hempstead—News, Blevins; Gazette, Herald (evening except Sunday), News, Star of Hope (semiweekly), Southwestern Outlook (negro), Health and Success (monthly), Hope; Telegraph, Washington.

Hot Spring—Meteor, Times-Journal, Record (evening except Sunday), Malvern.

Howard—Banner, Dierks; Vim, Mineral Springs; News (semiweekly), Times, Nashville.

Independence—Guard (evening except Sunday), Record, Batesville; Journal, Newark.

Izard—Progress, Calico Rock; Times, Melbourne.

Jackson—Citizen, Independent (evening except Sunday), White River Advance (negro), Newport; Enterprise, Diaz.

Jefferson—Commercial (evening except Sunday), Graphic (morning except Monday), Pine Bluff; Journal, Wabbaseka.

Johnson—Herald-Democrat, Clarksville; Leader, Lamar.

Lafayette—Herald, Lewisville; Lafayette County Democrat, Stamps.

Lawrence—Journal, Imboden; Blade, Times-Dispatch, Walnut Ridge.

Lee—Courier-Index, Marianna.

Lincoln—Lincoln Ledger, Star City.

Little River—Little River News, Ashdown; Sun, Foreman.

Logan—Democrat, Progress, Booneville; Express, Progress (semiweekly), Paris; Independent, Scranton.

Lonoke—Guard, Cabot; Independent, Carlisle; Courier, Democrat, England; Democrat, Lonoke County News, Lonoke.

Madison—Madison County Record, Huntsville; Mountain Air, St. Paul.

Marion—Mountain Echo, News and Mining Reporter, Yellville.

Miller—Four States Press and Courier (morning except Monday), News (evening except Sunday), Texarkanian (evening except Sunday), Appreciator-Union (negro), Texarkana.

Mississippi—Courier, Herald-News, Blytheville; Star, Leachville; Leader, Luxora; Times, Osceola.

Monroe—Argus, Monroe County Citizen, Brinkley; Monroe County Sun, Clarendon; Leader, Holly Grove.

Montgomery—Montgomery County Democrat, Mount Ida; Montgomery County Review, Womble.

Nevada—Nevada County Picayune, Nevada News (evening except Sunday), Arkansas White Ribboner (monthly), Prescott.

Newton—Newton County Times, Jasper.

Ouachita—Leader, Bearden; Beacon-Herald, Camden; News, Stephens.

Perry—Citizens' Press, Bigelow; Perry County News, Perryville.

Phillips—Phillips County Democrat, Shield, World (evening except Sunday and Sunday morning), Royal Messenger (negro fraternal), Interstate Reporter (negro religious), Helena; Herald, Marvell.

Pike—Houn' Dog, News-Press, Glenwood; Messenger, Pike County Courier, Murfreesboro.

Poinsett—Modern News, Harrisburg; Tribune, Marked Tree.

Polk—Star (evening except Sunday), Eureka Messenger (monthly musical and religious), Mena.

Pope—Chronicle, Atkins; Courier-Democrat, Tribune, Russellville.

Prairie—Advocate, White River Journal, Des Arc; Democrat, DeValls Bluff; Grand Prairie Herald, Hazen.

Pulaski—In this county the only publications are issued in Little Rock and North Little Rock. Little Rock publishes the following: Arkansas Banner (negro), Arkansas Democrat (evening except Sunday and Sunday morning), Arkansas Gazette (morning daily), Arkansas Homestead (agricultural), Arkansas Lutheran (bi-monthly), Arkansas Methodist, Arkansas Sunday School Herald (monthly), Arkansas Teacher (monthly), Baptist Advance, Baptist and

Commoner, Baptist Vanguard, Southern Guardian (Catholic), Journal of the Arkansas Medical Society (monthly), Little Rock Daily News, Little Rock Trade Record, Masonic Trowel (monthly), Ancient Order of United Workmen Guide (monthly), Our Review (negro monthly), Petricularian (college semimonthly), Pulaskian, Southern Construction News, Union Labor Bulletin.

North Little Rock reported but two publications—The News and the Arkansas African Methodist.

Randolph—Randolph County Democrat, Star-Herald, Pocahontas.

St. Francis—Times-Herald, Forrest City.

Saline—Courier, New Era, Benton.

Scott—Advance Reporter, Scott County Record, Waldron.

Searcy—Herald, News, Leslie; Mountain Wave, Republican, Marshall.

Sebastian—Saturday Item, Southwest American (morning except Monday), Times-Record (evening except Saturday and Sunday morning), Fort Smith; Observer, Hartford; Enterprise, Herald, Huntington; Messenger, Mansfield.

Sevier—Bee, De Queen; Messenger, Horatio; Tribune, Lockesburg.

Sharp—Sharp County Record, Evening Shade; Herald, Hardy.

Stone—Stone County Record, Mountain View.

Union—Times, Union County Tribune, Daily News, El Dorado; News, Huttig.

Van Buren—Van Buren County Democrat, Clinton.

Washington—Democrat (evening except Sunday), Sentinel, Republic, Arkansan (college monthly), University Weekly, Fayetteville; Herald, Prairie Grove; News, Springdale; American, Winslow.

White—Eagle, Bald Knob; Bulletin, Beebe; Advance, Judsonia; American, Kensett; Progress, McRae; News, Pangburn; Citizen (evening except Sunday), Searcy.

Woodruff—Free Press, Augusta; Woodruff County Democrat, Cotton Plant; Home News, McCrory.

Yell—Democrat, Danville; Post-Dispatch, Dardanelle; Fourche Valley Herald, Plainview.

ARKANSAS PRESS ASSOCIATION

Pursuant to a call made by the editors of several newspapers of the state, a number of journalists and publishers met on October 15, 1873, in the Chamber of Commerce Building in Little Rock for the purpose of organizing a state press association. James Torrans, of the Little Rock Republican, was called to the chair, and J. N. Smithee, of the Little Rock Gazette, was elected secretary. H. A. Pierce, J. N. Smithee and William R. Burke were appointed a committee on permanent organization, after which the meeting adjourned until 10 A. M. the next day. At the adjourned session the committee submitted a constitution, which was adopted. E. N. Hill, J. B. Bezzo and Adam Clark were then appointed a committee to prepare a code of by-laws for the association, but at the evening session this committee was given until the next annual meeting to complete its work. The following officers were then elected: J. N. Smithee, president; James Torrans, vice president; Jacob Frolich, secretary; William R. Burke, treasurer.

Members—Those who signed the constitution as charter members and the papers they represented were: J. H. Balding, DeValls Bluff Journal; J. B. Bezzo, Danville Argus; George R. Brown, Arkansas Gazette; William R. Burke, Helena World; D. W. Chandler, Camden Tribune; Adam Clark, Southern Standard; S. H. Davidson, Sharp County Herald; J. C. England, Lonoke Democrat; Jacob Frolich, Searcy Record; J. W. Galloway, Camden Tribune; J. P. Henry, Arkansas and Texas Advertiser; E. N. Hill, correspondent; B. F. Kerney, Lewisburg Empire; L. P. Meyers, State Grange; H. A. Millen, Camden Journal; C. G. Newman, Pine Bluff News; Daniel O'Sullivan, Little Rock Chronicle; H. A. Pierce, correspondent; J. N. Smithee, Arkansas Gazette; James Torrans, Little Rock Republican; R. S. Yerkes, Arkansas Gazette.

Immediately after the election of officers, the association adjourned to the Metropolitan Hotel, where a banquet was served. A number of toasts and responses were offered and the evening was "a feast of reason and a flow of soul." At the conclusion of the banquet the Arkansas Press Association adjourned, to meet on the first Wednesday in June, 1874. Since the organization the association has held annual meetings and has also held a number of "mid-winter meetings," at which the social feature predominated. At the forty-ninth annual meeting, held in Hot Springs, June 15-16, 1921, steps were taken to build a clubhouse at Glenwood, Pike County, where Graham Burnham, of the Glenwood "Houn' Dog," offered to donate ten acres of land on the Caddo River for the purpose. In fact, the project was first proposed in 1920, and a special committee, appointed to examine the site, made a favorable report.

Presidents—J. N. Smithee, who was elected the first president in 1873, was reëlected in 1874 and again in 1875. Since that time the presidents have been as follows: J. H. Sparks, 1876-77; C. G. Newman, 1878; Adam Clark, 1879-80; M. M. McGuire, 1881-82; E. A. Warren, 1883; C. C. Colburn, 1884; W. A. Webber, 1885; J. S. Thomas, 1886; J. R. Bettis, 1887; W. W. Folsom, 1888; J. R. Newman, 1889; G. R. Williams, 1890; George Thornburg, 1891; B. F. Jobe, 1892; Leon Roussan, 1893; O. C. Ludwig, 1894; W. M. Kavanaugh, 1895; I. M. Patridge, 1896; E. C. Kinney, 1897; James Mitchell, 1898; W. Theo Smith, 1899; W. A. H. McDaniel, 1900; W. B. Folsom, 1901; J. L. Wadley, 1902; H. L. Cross, 1903; J. J. Baugh, 1904; P. H. Thomas, 1905; A. M. Ward, 1906; William E. Spencer, 1907; John R. Jobe, 1908; S. B. Baird, 1909; R. E. Bradford, 1910; J. A. Livingston, 1911; John H. Hand, 1912; T. E. Wood, 1913; V. A. Beeson, 1914; Claude Mann, 1915; C. A. Berry, 1916; T. L. Pound, 1917; L. B. White, 1918; Louis Spence, 1919; W. B. Williams, 1920; J. C. Jolly, 1921.

CHAPTER XXXIII

PUBLIC LIBRARIES

CARNEGIE'S VIEWS ON PUBLIC LIBRARIES—ARKANSAS' FIRST LIBRARY—LITTLE ROCK LIBRARY—HELENA LIBRARY—FORT SMITH LIBRARY—OTHER LIBRARIES—FREE LIBRARY SERVICE—ARKANSAS HISTORY COMMISSION—ACT OF 1905—ACT OF 1907—ACT OF 1909—WHAT THE COMMISSION HAS DONE.

That the public library is an important agency in promoting general education cannot be disputed. Andrew Carnegie, who gave away millions of dollars in establishing free libraries throughout the United States, once explained his reasons for his adoption of this form of general benevolence thus: "I chose the free libraries as the best agencies for improving the masses of the people because they give nothing for nothing. They only help those who help themselves. They never pauperize. They reach the aspiring and open to these the chief treasures of the world, those stored up in books. A taste of reading drives out lower tastes. Besides, I believe good fiction one of the most beneficial reliefs to the monotony of life. For these and other reasons, I prefer the free public library to most if not any other agency for the happiness and improvement of a community."

ARKANSAS' FIRST LIBRARY

The first library in Little Rock, and the first of which any definite knowledge can be obtained in Arkansas, was established by William E. Woodruff in 1843. It was not a free library, but the books were intended for circulation among those who were willing to pay a small annual fee. Each book carried the following label:

> "Little Rock Circulating Library Established by William E. Woodruff in the year 1843. Please read and return in two weeks. Price $2 per year."

Mr. Woodruff's library contained most of the best histories, ancient and modern, practically all of the standard novels, books of travel, biography, scientific works and a number of the leading poets. There was not much of what could be called "light reading," for the founder's taste did not run in that direction. He was fond of lyric and descriptive poetry and used to express his gratification that it was his privilege to set type on the first volume of Tom Moore's poems ever printed in America.

Mr. Woodruff's library came to a somewhat tragic end. While the Federal troops were in possession of Little Rock the books were stored in the home of

Alden Woodruff. A fire broke out in a building near by and the contents of Mr. Woodruff's house were carried into the street, preparatory to removal to a place of safety, in case it became necessary. Soldiers passing by helped themselves to the books, and in this way many of the most valuable were lost. So few remained that the library was never reopened.

LITTLE ROCK LIBRARY

The present public library in Little Rock has its origin in what was known as the "Mercantile Library," which was established by a few public spirited citizens. It was located in the Chamber of Commerce Building, but in the spring of 1871, rooms were rented on Main Street, between Third and Fourth streets. Shortly after the completion of the St. Louis & Iron Mountain Railroad, Henry G. Marquand, president of the railroad company, offered to establish a library for the benefit of the railroad men of Little Rock. He agreed to consolidate his proposed library with the Mercantile Library, on condition that the institution should be located near the Iron Mountain station. This was done, and for several years the library was located in the western part of the city. After the organization of the Young Men's Christian Association that organization took charge of the books.

In the meantime the women of Little Rock, seeing the necessity for a library in the east end, collected about two thousand volumes, which were kept in the brick building in the City Park. Then a movement was started to unite all library interests in a free public library. A donation was secured from Andrew Carnegie, and the building on the southwest corner of Seventh and Louisiana streets was erected. It was opened to the public in 1910 with 2,160 volumes on the shelves. Miss Beatrice Prall, the librarian, in her report for 1920 gives the number of volumes as 34,709.

One of the most notable gifts to the library is the collection of some seven thousand volumes that once formed the private library of Judge U. M. Rose. After the death of Judge Rose in August, 1913, his widow, Mrs. Margaret T. Rose, presented these books to the public library, and one room, known as the "Rose Room," was set apart for the collection. In 1919 J. F. Loughborough gave nearly three hundred volumes of French books, which had been the property of Miss Loughborough, a French scholar and former student at the Sorbonne. These books were placed with the Rose collection, and the whole forms a valuable reference library.

HELENA LIBRARY

The first library in Helena was established by the Rescue Hook and Ladder Company and was kept up for several years. It contained a number of good books, some of which are now in the public library. Then the Helena Public Library Association was organized and maintained a good subscription library for a few years.

At the suggestion of Mrs. Louise McGown Stephenson, forty Helena women met on the last day of February in 1888 and organized the Women's Library Association of Helena. Mrs. M. T. Sanders was elected president and the

first board of directors was composed of Mesdames C. R. Coolidge, J. Hargraves, J. J. Hornor, M. Lieber, J. I. Moore, W. M. Neal, E. D. Pillow, J. B. Pillow, E. S. Ready, M. T. Sanders, M. L. Stephenson, J. A. Tappan, Jacob Trieber, S. H. Velie, Jr., and L. J. Wilkes.

Several public spirited men united in donating a lot for a library building, the citizens gave liberal support to the project, and in 1890 a neat two-story brick structure was erected. The upper story is rented for lodge purposes. The books and bookcases formerly belonging to the Helena Public Library Association were turned over to the women and installed on the main floor of the new building. From the beginning the library was free for reading and reference, but it was not until January, 1919, that books were permitted to go out free. In September, 1920, the name of the association was changed to the Helena Public Library Asociation. At the beginning of the year 1921, Mrs. Charles P. Sanders was librarian, and there were then 6,600 volumes in the library. In addition to this, a branch is maintained in West Helena.

FORT SMITH LIBRARY

On October 10, 1891, the Fortnightly Club of Fort Smith established a library for reading and reference, which was maintained by the club, with the assistance of others, until the present public library was established. The first library board, appointed by Mayor Henry Kuper, Jr., consisted of B. D. Crane, J. G. Eberle, August Harder, W. R. Martin, Rudolph Ney, Mrs. Thomas Boles, Mrs. T. W. M. Boone, Mrs. G. W. Lyman and Mrs. J. M. Sparks. This board met on April 6, 1906, to "perfect arrangements for building the 'Carnegie City Library'".

In the meantime an ordinance had been passed by the city council on March 5, 1906, appropriating $2,500 annually for the support of the library. This was necessary in order to obtain the Carnegie donation of $25,000. To the gift of Mr. Carnegie the citizens of the city raised and added something over fifteen thousand dollars to purchase a site and complete the building, which was opened to the public on January 30, 1908. On April 1, 1921, Miss Ethel B. Kellar, librarian, reported 9,270 volumes in the library.

OTHER LIBRARIES

By the act of March 2, 1901, cities of the first and second class were authorized to establish public libraries. Upon petition of ten resident freeholders, the city council was directed to appoint "five capable resident citizens" as a board of trustees, who might receive donations, etc., for the support of a library. Since the passage of that law a number of libraries have been established.

On June 6, 1904, the Ingham Library at Camden was founded by H. M. Ingham and his wife, Dr. and Mrs. J. W. Meek, W. W. Brown, Miss Nettie Rimes, Mrs. J. T. Sifford and Mrs. H. S. Powell, members of the New Century Club. Funds were raised and a small building was erected, which was opened to the public in April, 1906. Members of the club volunteered to act as librarian until 1909, since which time Mrs. Mary Puryear and Mrs. Blanche Jackson have had charge. The library numbered 6,500 volumes on April 1, 1921.

The Women's Literary Club of Van Buren began the collection of books soon after the passage of the library act of 1901. For several years they worked for the consummation of a plan by which they could own a building and place the five hundred or more books at the disposal of the city. Early in the spring of 1914 H. F. Meyer, of the Citizens' Bank, offered the club women a lot near the center of the business district, $100 to be applied to a building fund and $100 for the purchase of books. With this as a nucleus the club women "girded on their armor," and the result of their labors is the Van Buren Public Library.

About the middle of May, 1914, the De Queen Library Association opened a library and reading room in the Collin building, with nearly one thousand volumes on the shelves, to which additions have been made every year since the opening.

Early in the year 1915 the members of the Pathfinder Club in Morrillton started a movement to obtain a donation of $10,000 from the Carnegie fund for a public library. They received the promise of the donation, with the usual conditions that a site be purchased and plans for a building submitted to the Carnegie Corporation for approval. On December 8, 1915, a lot was purchased by the city, the plans were approved, and in May, 1916, a contract for the erection of the building was let to Ira B. Davis, of Little Rock, his bid being $8,840. The library was opened to the public early in 1917.

Carnegie libraries have also been established at Eureka Springs and Pine Bluff. Of the public libraries in the state, only the Carnegie libraries are supported by taxation. The others are kept up by subscription, donations, etc., by clubs or library associations. They are located at Arkadelphia, Augusta, Blytheville, Camden, Clarendon, De Queen, El Dorado, Fayetteville, Gravette, Harrison, Helena, Hot Springs, Jonesboro, Mena, Nashville, Osceola, Rogers, Searcy, Texarkana, Thornton, Van Buren, Waldron, Wilson and Wynne.

FREE LIBRARY SERVICE

A few years ago the State Federation of Women's Clubs undertook the work of collecting books to be sent to counties in which there were no public libraries. At the beginning of the year 1921 the library committee of the federation reported that they had 3,500 volumes and eight specially designed trunks for shipping them safely. At the opening of the legislative session of 1921, the women went before the General Assembly with a petition for the enactment of a law which would assist them in this work. On February 18, 1921, Governor McRae approved an act creating a free library service bureau in connection with the state department of education.

By this act the state superintendent of public instruction was authorized to appoint a librarian "who has completed a two years' course of study in a library school, or one who has completed a one year's course of study in a library school and has had five years' library experience." The chairman of the library committee of the Arkansas Educational Association, the chairman of the library committee of the State Federation of Women's Clubs and the president of the Arkansas Library Association were named as an advisory committee to assist the superintendent of public instruction in carrying on the work of the bureau.

The act carried no appropriation to defray the expenses of the bureau, but

the advocates of the system of traveling libraries hope that enough can be accomplished to show the merits of the plan, and that a future Legislature will appropriate sufficient funds to place Arkansas on a par with other states where the success of the scheme has been proved.

ARKANSAS HISTORY COMMISSION

While the Arkansas History Commission is not a library, in the sense that it keeps books for general circulation among the people, it is a department of the state calculated to encourage and promote the establishment of public libraries. This it does through the collection and preservation of historic data and relics, and by its publication from time to time of bulletins and articles that have a tendency to awaken an interest in history and a taste for good reading matter.

Several attempts were made to form an association of some sort to collect and preserve historical material relating to the state before a successful one was established. Some years before the Civil war an "Arkansas Historical Society" was organized, but it did not accomplish much, and what little it did accomplish was not heard of after the war and the reconstruction period were over.

In May, 1875, another society was formed at Little Rock. Among those active in effecting the organization of this society were Judges U. M. Rose, John R. Eakin, E. H. English and H. C. Caldwell. One familiar with its work says: "The society met monthly in the old Pulaski Circuit Court room. Its object seemed to be general—investigation of literary and scientific questions, the discussion of subjects pertaining to the history of the state, the collection of historical material and social purposes. The society held meetings for several years and then passed out of existence for want of interest.

The Eclectic Society of Little Rock, organized in the fall of 1879, was composed largely of persons who had held membership in the old historical society. It lived for four years. Perhaps its most important work was the influence it wielded in securing the passage of the act by the Legislature of 1881 regulating the pronunciation of the word "Arkansas." Neither this society nor its predecessor left any collection of historical information in the way of books, documents, etc.

On March 20, 1897, the Arkansas Historical Society (a new one) was organized at Little Rock. It collected a large number of pamphlets and other publications. During the winter and spring of 1903 the professor of history in the University of Arkansas gave a few lectures on Arkansas history to the literary societies. This led to the organization in June, 1903, of the Arkansas Historical Society at Fayetteville, by the students of the University. During the summer circulars were distributed and many of the students made some historical research in their respective counties. On December 18, 1903, the society was reorganized on a broader basis, with James K. Jones, president; J. H. Reynolds, secretary; R. J. Wilson, treasurer. A change in the name was also made, the word "association" being substituted for "society," to distinguish the organization from the one at Little Rock. The constitution adopted declared the

objects of the association to be: "1. To prepare an inventory of all source material for the history of Arkansas. 2. To collect said material, either at the university or the state capitol. 3. To encourage, by issuing publications, the study and the writing of all phases of the state's history."

ACT OF 1905

Prof. John Hugh Reynolds, as secretary of the association, worked assiduously to carry out the aims as stated in the constitution. During the year 1904 he ascertained the location and made a list of many old newspaper files, pamphlets, books, manuscripts, etc., bearing upon Arkansas history. Notwithstanding his persistent efforts and the friendly support of the newspapers, the membership of the association did not grow as had been anticipated and the organization was without sufficient funds to publish the results of its research. In this emergency it was decided to appeal to the General Assembly. Early in the session of 1905 a bill was introduced, the principal features of which were as follows:

The president of the association was authorized to appoint five persons from the active membership, to constitute the Arkansas History Commission, whose duty was to supervise and direct the printing of the first volume of the publications of the association—not less than five hundred nor more than one thousand copies—and ascertain the location and state of preservation of all extant sources of information concerning the history of Arkansas. Also to report to the governor, with such recommendations concerning the best methods of collecting and preserving said sources of information as the commission might deem desirable. An appropriation of $1,000 was made to aid the commission in printing the said volume. The bill passed both houses, was vetoed by the governor, and on April 27, 1905, it was passed over the veto. Under the provisions of this act the first volume was published.

ACT OF 1907

The act of 1905 was temporary in character and provided for the publication of only one volume. On May 28, 1907, the governor approved an act continuing the work of the Arkansas History Commission and appropriating $1,600 to aid in printing a second volume of publications. Under this act the second volume was published in 1908.

The publication of two volumes of historical matter awakened an interest in the state's history and from many sections of the state came a request that the commission be made a permanent institution. In its report to the governor on September 1, 1908, the commission recommended that an expert archivist be employed to superintend the removal of the records and papers from the old capitol to the new, that the commission be made a permanent department of the state, etc. Says the report: "A failure to provide for the permanent organization of state historical work at the next session of the General Assembly would probably mean that Arkansas history would sustain a greater loss in the next two years than it has in any other quarter of a century."

ACT OF 1909

In response to the recommendations of the commission and the demand from many citizens of the state, the Legislature of 1909 passed an act creating the Arkansas History Commission. The act was approved by the governor on May 31, 1909, and provided: 1. That the headquarters of the commission should be in the state capitol. 2. That said commission should be composed of the chief justice of the Supreme Court, the presidents of the University of Arkansas and the State Normal School, and six persons appointed by the governor. 3. That at the first meeting of the commission the six appointive members should by lot divide themselves into six classes, whose terms of service should be two, four, six, eight, ten and twelve years, respectively, after which the term of such appointees should be twelve years. 4. That a secretary be employed at a salary of $1,800 per year to carry out the provisions of the act, under the rules and regulations laid down by the commission. 5. That all books, pamphlets, documents, etc., collected by the commission should forever remain the property of the state.

Although the act provided for a secretary at a salary of $1,800 per annum, no specific appropriation was made to pay such salary. Prof. John Hugh Reynolds, secretary of the Arkansas Historical Association, continued to perform the ordinary duties of secretary of the commission. The commission as at first constituted was composed of E. A. McCulloch, chief justice; John N. Tillman, president of the University of Arkansas; J. J. Doyne, president of the State Normal School; Dr. A. C. Millar, of Little Rock; James H. Berry, of Bentonville; H. B. McKenzie, of Prescott; J. F. Mayes, of Fort Smith; Miss Clara B. Eno, of Van Buren, and Prof. J. H. Reynolds.

A bill making an appropriation for the secretary's salary was passed by the Legislature of 1911, but it was vetoed by the governor. At a meeting of the commission on August 24, 1911, the following preamble and resolution were unanimously adopted:

"Whereas, The recent veto of the salary item of the secretary of the commission renders the payment of said salary impossible until another appropriation is made; and

"Whereas, Dallas T. Herndon, of Georgia, a man well qualified for the secretaryship, has agreed to accept the office, trusting to the good faith of the next Legislature to reimburse him, on condition that the commission on its part, while assuming no financial liability, agree to recommend to the next General Assembly an appropriation to cover said salary:

"Therefore, be it Resolved, That the history commission hereby elect Dallas Tabor Herndon secretary on the conditions named above."

Soon after his election, Mr. Herndon assumed the duties of secretary. Concerning what he has accomplished, the Arkansas Gazette, in its Centennial Edition of November 20, 1919, says: "He has collected hundreds of volumes of old newspaper files and quantities of historical documents, including thousands of old letters and papers that belonged to men who have been prominent in the state's affairs. He has also made bibliographies of all written history of the state, has compiled information concerning many thousands of persons who have lived in Arkansas and had a part in its history, and has made rosters of

the soldiers from Arkansas in the Mexican war and the Civil war, besides building up a museum of Arkansas history. In general he has devoted himself to organizing the state's historical sources into a system of public archives. The state owes to his faithful labors the gratifying progress that has been made in the work of preserving its eventful history."

The museum referred to in the above quotation contains many valuable specimens of Indian pottery and other aboriginal relics, portraits of many Arkansans who left the impress of their character upon the state, original documents, relics of the Mexican and Civil wars, and a large collection of reminders of the great World war brought from Europe by the Arkansas boys who served with the American Expeditionary Forces in France. This museum is visited daily by people, many of whom are from other states, and who go away with a better impression of the State of Arkansas. Since the commission was established a Legislative Reference Library has been added, through which a mass of information regarding the laws of other states has been gathered for the use and guidance of members of the General Assembly of Arkansas.

CHAPTER XXXIV

ARKANSAS IN LITERATURE

EARLY WRITERS ON ARKANSAS—GEN. ALBERT PIKE—"THE FINE ARKANSAS GENTLEMAN"—"THE LIGHT OF DAYS LONG PAST"—"THE OLD CANOE"—HISTORY AND BIOGRAPHY—WAR LITERATURE—RELIGIOUS LITERATURE—FICTION—POETRY—MISCELLANEOUS—JUDGE U. M. ROSE—AUTHORS' AND COMPOSERS' SOCIETY.

Arkansas occupies a place in the literary annals of the country, both through the work of outsiders and the productions of her own people. In writing the literary history of the state it would be inexpedient to attempt to include every one who ever "wrote a piece for the paper," no matter how much merit the "piece" might possess. The aim of this chapter is to give some account of those writers whose literary work has received more than local recognition.

No doubt the first written accounts of the country now included in the State of Arkansas were the journals of Luis Francisco de Biedma and the Gentleman of Elvas, who accompanied Fernando de Soto on his travels about the middle of the Sixteenth Century. There were no white people then living in the region visited by De Soto. The chroniclers obtained their information from the Indians and much of it was probably of uncertain value. The names mentioned in these early journals of places visited have been changed until they can no longer be distinguished with certainty.

Father Jacques Marquette's journal of his voyage down the Mississippi River with Louis Joliet in 1763, throws considerable light upon the Quapaw Indians and their manner of living. Marquette's description of the great river and the country bordering upon it was the first given to the civilized world.

Bernard de la Harpe, the Frenchman who spent the years from 1718 to 1730 in the Province of Louisiana, traveled widely and wrote much concerning the character of the country and its inhabitants. He explored the Arkansas River as far up as Fort Gibson and is credited with having given the names to "Little Rock" and "Big Rock," the bluffs along the Arkansas River near the present capital city.

Henry R. Schoolcraft, traveler, writer and ethnologist, passed most of the winter of 1818-19 in Arkansas. In his writings he describes the Indian tribes, some of the early settlements visited by him, and what he calls the "Semi-Alpine regions of the Ozark Mountains."

Thomas Nuttall, the naturalist, visited Arkansas in the year 1819. He ascended the Arkansas River as far as Fort Smith and in his journal describes the settlements at which he stopped, with personal mention of many of the pioneers. The same year Rev. Timothy Flint came to the territory and left a written account of his experiences.

The expedition of Maj. Stephen H. Long through the western country in 1819-20 passed through Arkansas. A report of the expedition, written by Edwin James, gives many interesting particulars concerning the country, scientific and otherwise.

Rev. Cephas Washburn, founder of the Dwight mission in 1820 among the Cherokee Indians, left an autobiography containing many reminiscences of his life among the Indians. His mission was on the Arkansas River, in what is now Pope County.

In 1835 George William Featherstonhaugh, the English traveler and geologist, passed through Arkansas on his way from Missouri to Louisiana. Two volumes of his early western travels, descriptive of the country and its people, were published in London soon after his visit to America. Mr. Featherstonhaugh is sometimes rather sarcastic in his treatment of the people with whom he came in contact, but his narrative contains much information that will be found valuable to the student of early Arkansas history.

Frederick Gerstaecker, the German traveler and hunter, was in Arkansas the greater part of the time between the years 1839 and 1842. He was a close observer and in his "Wild Life in the West" he gives a good description of Arkansas, with many amusing and pathetic stories of the old settlers. Through the writings of these early travelers and explorers, and the geological reports of Dr. David Dale Owen in the early '40s, the outside world was given a comprehensive view of the State of Arkansas, its resources and its people.

GEN. ALBERT PIKE

Of the Arkansas writers there is no question that Gen. Albert Pike is entitled to a place at the head of the list. He was born in Boston, Massachusetts, December 29, 1809, of an English ancestry that came to America in 1635. Nicholas Pike, a member of this family, was the author of the first arithmetic published in America. Zebulon M. Pike, explorer and soldier, rose to the rank of brigadier-general in the regular army and was killed in the War of 1812.

Albert Pike was educated in the schools of Newburyport, Massachusetts and an academy at Framingham. In August, 1825, he passed the examination and entered the freshman class at Harvard. A low state of his finances compelled him to earn money to pay board and tuition and during the fall and winter he taught school at Gloucester, at the same time pursuing his studies with such good effect that when he returned to Harvard in the fall of 1826 he passed the examination for the junior year. Then he was informed that he could enter the junior class only by paying the tuition for the freshman and sophomore years. This he refused to do and turned his back upon Harvard. He then taught at various places in his native state until 1831, when he started for the Pacific coast. Reaching Santa Fe in September, 1832, he joined a trapping party and in the early part of December arrived at Fort Smith, Arkansas, and decided to stop there.

While teaching school near Van Buren, he began writing articles for the local newspapers and a series of letters to the "Little Rock Advocate," the organ of the Whig party. These were written under the nom de plume of

GENERAL ALBERT PIKE
Philosopher, scholar, soldier statesman and poet, 1808-1891

"Casca," but Robert Crittenden learned the identity of the author and offered Pike the position of associate editor of the Advocate. He accepted it and moved to Little Rock. In the winter of 1834 he was admitted to the bar by Judge Thomas J. Lacy, and while he practiced some, his literary work engrossed most of his time. In 1831 he published his 'Hymns to the Gods," which were republished in Blackwood's Magazine in June, 1839, with a comment from the editor in which he said: "These fine poems entitle their author to take his place in the highest order of his country's poets."

In the spring of 1835 he became the owner of the Advocate and about the same time formed a law partnership with William Cummins which lasted for several years. He served as a captain in the Mexican war, and at the beginning of the Civil war in 1861 he was commissioned brigadier-general by the Confederate government and was placed in command of the Indian Territory.

Albert Pike joined the Masonic fraternity at Little Rock in 1850. Liking the principles of the order he advanced rapidly until he reached the thirty-third degree, and was regarded by the members of that fraternity as the highest authority on Masonic law and symbolism in the world. After his death the craft erected a statue to him in Washington, D. C., and lodges all over the country held memorial services. The Albert Pike Consistory of the Ancient and Accepted Scottish Rite in Little Rock is named in his honor.

On October 10, 1834, he married Miss Mary Ann Hamilton at Arkansas Post and soon afterward built a fine residence in Little Rock. In 1868 he removed to Washington City, where he continued to reside until his death on April 2, 1891. Fred W. Allsopp, of the Arkansas Gazette, has recently published "The Life Story of Albert Pike," a neat little volume, from which most of the above facts concerning this illustrious man have been taken. Mr. Allsopp is also the author of "Twenty Years in a Newspaper Office," in which the serious and humorous are interwoven.

The two following poems by Albert Pike show the versatility of the writer. "The Fine Arkansas Gentleman" was Maj. Elias Rector, who was born in Virginia on September 28, 1802, the youngest son of Wharton Rector. He came to Arkansas in 1825 as a surveyor under his uncle, who was surveyor-general of Illinois and Missouri. Pike became acquainted with him in 1835 and a friendship sprang up which lasted through life. In 1837 Major Rector removed from Little Rock to Fort Smith "close to the Choctaw line." He was appointed marshal of the Arkansas and Indian territories by President Jackson and held the office for sixteen years. He died at Fort Smith on November 22, 1878. The poem—"The Fine Arkansas Gentleman"—was written in the winter of 1852-53 and is as follows:

"Now all good fellows, listen, and a story I will tell
Of a mighty clever gentleman who lives extremely well
In the western part of Arkansas, close to the Indian line,
Where he gets drunk once a week on whisky, and immediately sobers himself completely on the very best of wine;
A fine Arkansas gentleman,
Close to the Choctaw line!

"This fine Arkansas gentleman has a mighty fine estate
Of five or six thousand acres or more of land, that will be worth a great deal some day or other if he don't kill himself too soon, and will only condescend to wait;
And four or five dozen negroes that would rather work than not,
And such quantities of horses, and cattle, and pigs and other poultry, that he never pretends to know how many he has got;
This fine Arkansas gentleman,
Close to the Choctaw line!

"This fine Arkansas gentleman has built a splendid house
On the edge of a big prairie, extremely well populated with deer, and hares, and grouse;
And when he wants to feast his friends he has nothing more to do
Than to leave the pot-lid off, and the decently behaved birds fly straight into the pot, knowing he'll shoot them if they don't; and he has a splendid stew,
This fine Arkansas gentleman,
Close to the Choctaw line!

"This fine Arkansas gentleman makes several hundred bales,
Unless from drought or worm, a bad stand, or some other damned contingency, his crop is short or fails;
And when it's picked, and ginned, and baled, he puts it on a boat,
And gets aboard himself likewise, and charters the bar, and has a devil of a spree, while down to New Orleans he and his cotton float.
This fine Arkansas gentleman,
Close to the Choctaw line!

"And when he gets to New Orleans he sacks a clothing store,
And puts up at the City Hotel, the St. Louis, the St. Charles, the Veranda, and all the other hotels in the city, if he succeeds in finding any more;
Then he draws upon his merchant, and goes about and treats
Every man from Kentucky, and Arkansas, and Alabama, and Virginia, and the Choctaw nation, and every other damned vagabond he meets!
This fine Arkansas gentleman,
Close to the Choctaw line!

"The last time he was down there, when he thought of going back,
After staying about fifteen days, more or less, he discovered that by lending and by spending, and being a prey in general to gamblers, hackmen, loafers, brokers, hoosiers, tailors, servants, and many other individuals, white and black,
He distributed his assets, and got rid of all his means,
And had nothing left to show for them, barring two or three headaches, an invincible thirst, and an extremely general and promiscuous acquaintance in the aforesaid New Orleans;
This fine Arkansas gentleman,
Close to the Choctaw line!

HOUSE WHERE ALBERT PIKE TAUGHT SCHOOL, 1832, NEAR VAN BUREN

"Now, how this gentleman got home is neither here nor there,
But I've been credibly informed that he swore worse than forty-seven pirates, and fiercely combed his hair;
And after he got safely home, they say he took an oath
That he'd never bet a cent again at any game of cards, and, moreover, for want of decent advisers, he forswore whisky and women both;
This fine Arkansas gentleman,
Close to the Choctaw line!

"This fine Arkansas gentleman went strong for Pierce and King,
And so came on to Washington to get a nice fat office, or some other equally comfortable thing;
But like him from Jerusalem that went to Jericho,
He fell among thieves again, and could not win a bet whether he coppered it or not, so his cash was bound to go—
This fine Arkansas gentleman,
Close to the Choctaw line!

"So when his moneys all were gone, he took unto his bed,
And Dr. Reyburn physicked him, and the chamber-maid, who had a great affection for him, with her arm held up his head;
And all his friends came weeping round, and bidding him adieu,
And two or three dozen preachers, whom he didn't know at all, and didn't care a damn if he didn't, came praying for him too;
This fine Arkansas gentleman,
Close to the Choctaw line!

"They closed his eyes and laid him out all ready for the tomb,
And merely to console themselves they opened the biggest kind of a game of faro right there in his own room;
But when he heard the checks, he flung the linen off his face,
And sung out, just precisely as he used to do when he was alive, 'Prindle, don't turn! hold on! I go twenty on the king and copper on the ace!'
This fine Arkansas gentleman,
Close to the Choctaw line!"

The reader unacquainted with the true character of Major Rector, might infer from this poem that he was a man of dissolute habits. In those early days it was the common thing for gentlemen to take a drink of whisky and indulge in a game of poker. Elias Rector was probably no exception in this respect. But he was man of integrity, a keen sense of right, and one who commanded general confidence in those with whom he came in contact. The reference in the poem to his "fiercely combing his hair," was no doubt inspired by the fact that Rector wore his hair long, but so did Albert Pike. The second poem, written some years after the Civil war, when Pike had passed the meridian of life, is in a more serious vein, to wit:

"THE LIGHT OF DAYS LONG PAST

"Our afternoon of life has come,
Its darkening hours are here;
The evening shadows lengthen
And the night is drawing near;
To some the sky is bright, to some
With clouds is overcast;
But still upon our Present smiles
The Light of Days long past.

"The autumn of our life is here,
Its summer flowers are dead;
But still the wine-cup charms us
And young lips rosy-red.
What though the river to the sea
Runs steadily and fast?
Upon its shifting waves still smiles
The Light of Days long past.

"We meet here as in days of old,
Kind words to say or sing;
Forgetting age, and all the cares
That age and losses bring;
The friendships sealed in younger days
Still firm and faithful last,
And newer friendships brighten in
The Light of Days long past."

A few years before the beginning of the Civil war a poem entitled "The Old Canoe" appeared in one of the Little Rock newspapers, without the author's name. Subsequently the authorship was attributed to General Pike and the poem appears in a volume of his published verses, though Pike denied that he wrote it. The writer has made as thorough an investigation as it was possible to make, and does not hesitate to say that the poem was written by Thomas J. Worthen, who died in Little Rock, at the home of his brother, George A. Worthen, on December 10, 1855. He was a young man of promise until stricken with tuberculosis, which carried him to his grave at the early age of twenty-six. The poem is here reproduced because of the beauty of its rhythm and its perfect mechanical construction.

"THE OLD CANOE

"Where the rocks are gray and the shore is steep,
And the waters below look dark and deep,
Where the rugged pine, in its lonely pride,
Leans gloomily over the murky tide;
Where the reeds and the rushes are long and lank,
And the weeds grow thick on the winding bank,
Where the shadow is heavy the whole day through,
There lies at its mooring the old canoe.

"The useless paddles are idly dropped,
Like a sea bird's wings the storm has lopped,
And crossed on the railing, one o'er one,
Like the folded hands when the work is done,
While busily back and forth between,
The spider stretches his silvery screen
And the solemn owl with the dull 'too whoo,'
Settles down on the side of the old canoe.

"The stern, half sunk in the slimy wave,
Rots slowly away in its living grave,
And the green moss creeps o'er its dull decay,
Hiding its mouldering dust away,
Like the hand that plants o'er the tomb a flower,
Or the ivy that mantels the falling tower,
While many a blossom of loveliest hue,
Springs up o'er the stern of the old canoe.

"The currentless waters are dead and still,
But the twilight wind plays with the boat at will,
And lazily in and out again,
It floats the length of the rusty chain;
Like the weary march of the hand of time,
That meet and part at the noon-tide chime,
And the shore is kissed at each turn anew,
By the dripping bow of the old canoe.

"Oh, many a time with careless hand,
I have pushed it away from the pebbly strand
And paddled it down where the stream runs quick,
Where the whirls are wild and the eddies thick,
And laughed as I leaned o'er its rocking side,
And looked below in the broken tide,
To see that the faces and boats were two,
That were mirrored back from the old canoe.

"But now, as I lean o'er its crumbling side,
And look below in the sluggish tide,
The face that I see there is graver grown,
And the laugh I hear is a sober tone,
The hands that lent to the light skiff wings,
Have grown familiar with sterner things;
But I love to think of the hours that sped,
As I rocked where the whirls their white spray shed,
Ere the blossom waved or the green grass grew
O'er the mouldering stern of the old canoe."

HISTORY AND BIOGRAPHY

A number of Arkansans have written or compiled meritorious works on history and biography. John D. Adams edited and dedicated a volume entitled "In Memoriam," giving sketches of the life and career of Elias C. Boudinot. Dr. John C. Branner wrote "Some Old French Place Names in the State of Arkansas," which was published in Baltimore in 1890. He also compiled and published several reports on the geology of Arkansas while he held the office of state geologist. Charles H. Brough, who served two terms as governor, wrote "The Industrial History of Arkansas," "Points and Places of Historical Interest in Arkansas," and a history of "Private Banks in Arkansas," all of which were published in the reports of the Arkansas Historical Association. Mrs. Laura Scott Butler wrote histories of Clark County and Dallas County. The former was published in the reports of the Arkansas Historical Association.

Eugene Cypert, an attorney of Searcy, wrote an exhaustive review of the constitutional convention of 1868, which was published in volume IV of the Historical Association Publications. Miss Clara B. Eno, librarian of the public library at Van Buren, is the author of "Some Historic Landmarks in Arkansas," including old Fort Smith, the old fort on Cane Hill and the Rock House in Johnson County. William H. Halliburton wrote a "History of Arkansas County," from the time of De Soto to 1875. He practiced law at DeWitt for many years and died there in November, 1912, at the age of ninety-six years.

John Hallum, of Lonoke, published in 1887 his "Biographical and Pictorial History of Arkansas," a volume of 580 pages containing biographical sketches of many of Arkansas' noted men and many interesting facts relating to the early history of the state. Three years later Fay Hempstead's "Pictorial History of Arkansas" came from the press. Mr. Hempstead is also the author of a "School History of Arkansas," which was published in 1889. Joseph W. House, a delegate to the constitutional convention of 1874, published some reminiscences of that convention in Volume IV of the Arkansas Historical Association Publications. Charles E. Nash's biographies of Gen. Patrick R. Cleburne and Gen. Thomas C. Hindman are regarded as good authority concerning the lives of those two noted men. Farrar Newberry wrote a life of A. H. Garland and a life of James K. Jones, two of Arkansas' best known men.

William F. Pope, author of "Early Days in Arkansas," made one of the most valuable additions to the literature of the state. He came to Arkansas with Gov. John Pope, as his private secretary, and for many years was intimately identified with public affairs. The book is written in a simple style, just as though the author was telling a story in conversation, and it holds the reader's interest from beginning to end.

John Hugh Reynolds is one of the most prolific writers Arkansas has produced. As secretary of the Arkansas Historical Association, he wrote a number of articles on various phases of state history, which were published in the reports of the association. His articles on "The Western Boundary of Arkansas" and "Presidential Reconstruction in Arkansas," bear evidence of much research, and his "Makers of Arkansas History," published in 1905 as one of the "Stories of the States" series, contains much information concerning political leaders and the resources of the state. Professor Reynolds also collaborated

with David Y. Thomas in the compilation of a "History of the University of Arkansas."

Josiah H. Shinn, born in Pope County in 1849, was a lover of history, and particularly of Arkansas history. He was superintendent of public instruction from 1890 to 1894 and was the author of several historical works. The most important of these is his "School History of Arkansas," Pioneers and Makers of Arkansas," "History of the American People," and a "History of Russia." Some years before his death he went to Washington, D. C., where he spent much of his time in research in the Congressional Library. He died in Washington on September 3, 1917.

Mrs. Myra McAlmont Vaughan came to Arkansas with her parents from Ohio when she was but three years old. During the Civil war she began collecting historical data, newspaper clippings, etc., and in later years utilized some of this material in the preparation of historical articles. Her "Habits of the Quapaw Indians" and "History of the Old State House," published in the publications of the Arkansas Historical Association, are worthy of preservation by the student of Arkansas history.

WAR LITERATURE

The Civil war served as an inspiration to the writer. William Baxter wrote a description of the battles of Pea Ridge and Prairie Grove, which was published in Cincinnati in 1864, while the engagements were still fresh in the memory of Arkansans. Albert W. Bishop, adjutant-general of Arkansas from 1866 to 1868, wrote "Loyalty on the Frontier," being a collection of sketches of Union men in Arkansas. Jesse N. Cypert wrote a comprehensive account of the "Secession Convention of 1861." Mr. Cypert represented White County in that convention and much of his information was gained by personal contact.

"Lee Sharpshooters," by W. S. Dunlop, of Fayetteville, contains a graphic account of this branch of the Confederate service. John Hallum's "Reminiscences of the Civil War," published in 1903, is made up largely of incidents in which the author was a participant, but it contains much information concerning the war, not to be found elsewhere.

S. W. Harman's "Hell on the Border," gives an account of the guerrilla warfare in Northwest Arkansas and Southwest Missouri during the closing years of the Civil war and a large part of the reconstruction period. John M. Harrell, lawyer, editor and author, was born in North Carolina in 1828, graduated at the University of Nashville (Tennessee) in 1847, crossed the plains to California in 1851, and located at Little Rock in 1853. In 1857 he was admitted to the bar. He served with distinction in the Civil war and wrote or edited the Arkansas volume of the "Confederate Military History," published in 1899. Mr. Harrell was also the author of the "Brooks-Baxter War," a little volume published in 1894 giving an authentic account of the "war," the events leading up to it, the correspondence with the President and Federal officials, etc. Benjamin Johnson and L. B. Leigh have also written of the Brooks-Baxter war.

Jonathan Kellogg's "Confederate Women of Arkansas" tells the sufferings and sacrifices of the heroic women of the state while their husbands and sons were "in the ranks." In this work Mr. Kellogg was materially assisted

by the United Daughters of the Confederacy and other women's organizations. Mrs. James M. Loughborough wrote "My Cave Life in Vicksburg," the first edition of which was published by D. Appleton & Company, of New York. Mrs. Loughborough also wrote "Letters of Trial and Travel." James P. Coffin collated descriptions of the "Confederate Cemeteries in Arkansas," published in Volume II of the Reports of the Arkansas Historical Association.

An account of "Confederate Manufactures in Southwest Arkansas" was written by H. B. McKenzie, of Prescott, and appears in the second volume of the Arkansas Historical Publications. Mr. McKenzie is a native of Nevada County and in 1921 was editor of a publication called Candid Opinion, published at Prescott. William E. Woodruff, Jr., son of the veteran editor, wrote "With the Light Guns in '61-'65," published in 1905. Mr. Woodruff was born in Little Rock on June 8, 1831, graduated at the Western Military Institute, Georgetown, Kentucky, in 1852, and in 1860 organized a company of state troops, of which he was elected captain. His company assisted in the capture of Fort Smith early in 1861. During the war he served in the Trans-Mississippi Department. From 1881 to 1891 he was state treasurer of Arkansas. His death occurred on July 7, 1907.

RELIGIOUS LITERATURE

Among those who have written on church history, organization and doctrine are several whose works are entitled to a place in the literature of the state. Rev. Samuel C. Alexander, of Pine Bluff, wrote "The Stone Kingdom, or the United States and America," "The Everlasting Covenant and Its Seals," "The Gospel in Genesis," and monographs on other theological subjects. Rt. Rev. William M. Brown, bishop of the Episcopal Diocese of Little Rock, wrote "The Level Plan of Church Union" and "The Crucial Race Question." Mrs. Ellen Harrell Cantrell, a sister of John M. Harrell, wrote the "Annals of Christ Church Parish of Little Rock." The volume contains many biographical sketches of members of the church and its pastors, and incidentally gives many facts touching the history of the Episcopal Church in Arkansas. Rev. J. M. Connor, of Little Rock, was the author of "The Doctrines of Christ."

Horace Jewell's "History of Methodism in Arkansas," published in 1892, covers the history of the denomination in the state up to that time, the organization of congregations, conference meetings, sketches of eminent ministers, etc. Rt. Rev. J. M. Lucey, a native of New York and for many years a priest at Pine Bluff, wrote a comprehensive account of the "Catholic Church in Arkansas," which was published in Volume II of the Arkansas Historical Publications. Father Lucey was also the author of the "Historical Relics of Arkansas and Their Preservation."

In his "History of Presbyterianism in Arkansas," C. B. Moore does for that denomination what Jewell did for the Methodists and Father Lucey for the Catholics. The volume, published in 1902, contains concise accounts of the four presbyteries in the state, more than a score of the leading congregations, a list of preachers, and biographical sketches of a number of prominent members of the church.

Rev. James B. Searcy, preacher, teacher and editor, gives a history of the

"Baptist Schools and Colleges in Arkansas" in the second volume of the Arkansas Historical Publications, and subsequently published a "History of the Baptists in Arkansas."

FICTION

The Psalmist David is credited with having once said: "Oh, that mine enemy would write a book!" If David had any enemies in the State of Arkansas, the probabilities are that his wish has been gratified, as a number of Arkansans have entered the field of fiction. Mrs. Bernie Babcock has written many short stories and for a time edited a magazine called the "Sketch Book." Her published stories are: "An Uncrowned King," "The Man Who Lied on Arkansas," "The Daughter of a Republic," "Justice to the Woman," "At the Mercy of the State," "The Martyr," "The Soul of Ann Rutledge" and "The Coming of the King."

Robert J. Brown wrote "The Romance of the City of Roses," a story of Little Rock. Mrs. Laura Scott Butler, who has been previously mentioned as the author of histories of Clark and Dallas counties, has written a number of stories, the most important of which are: "Little Things," "The Doomed City," "My Black Mammy's Visit," "Well Done," "If I Had Known," "One Life, or the Curse of Drink," "Fourth of July" and "The Power of Influence." She also wrote "Camp Life in the Confederate Army," a mixture of history and romance.

Fletcher Chenault, writer on the staff of the Arkansas Gazette, is the author of "Children of Destiny," "The Little City of Last Repose," "Plantation Life in Days That Are Gone," and some other stories, and J. Breckenridge Ellis wrote "The Stork's Nest," "Arkansas Cousins" and "Confederate Women of Arkansas."

Miss Alice French, who wrote under the pen name of Octave Thanet, though not a native of Arkansas, had a winter home in Lawrence County, where she wrote a number of her stories. Among her best known works are: "Knitters in the Sun," "Expiation," "The Missionary Sheriff," "The Heart of Toil," "Man of the Hour" and "The Lion's Share."

Will Garland, a son of Governor Augustus H. Garland, wrote "The Broken Locket" and "Matthew Doyle." Charles H. Hibler was the author of "Down in Arkansas," "The State's Defense, a Tale of the Ozarks," and some other stories. Jean M. W. Loughborough wrote "The Visiting Girl," a story of Little Rock society.

One of the recent novels by an Arkansas author is "Show Down," written by Julia Houston Railey and published in 1921. Opie Read, whose novels have been read from coast to coast, was for a time a resident of Arkansas. In 1883 he established a newspaper called the Arkansas Traveler at Little Rock, and while publishing it began writing fiction. "A Kentucky Colonel," "A Tennessee Judge," "The Carpet Bagger," "Up Terrapin River," "The Jucklins," "Old Ebenezer" and a number of others have brought smiles and tears to thousands of readers.

Jeanne McLean Scott, of Arkadelphia, wrote "Mars Jeems," "Down South," "Too Late for Nervey," "In the Quarters," "Magnolia Blossoms" and some

other stories, all illustrative of Southern life. "Maudelle, a Novel Founded on Facts," was written by J. H. Smith, a colored man, and published in 1906.

Mrs. Ruth McEnery Stuart wrote more than a score of stories, the best known of which are: "Carlotta's Intended," "Woman's Exchange," "Lamentations of Jeremiah Johnson," "Solomon Crow's Christmas," "Holly and Pizen," "George Washington Jones," "Widow Johnson's Mourning" and "The Second Wooing of Salina Sue."

POETRY

Besides Albert Pike, Arkansas has produced several writers of verse whose work contains much that is meritorious. Mrs. S. R. Allen's "Poems of Many Years," covering the period from 1847 to 1912, belongs to this class. Mrs. Laura Scott Butler wrote poetry as well as prose, and Louis Dodge was also a writer of poems.

Clio Harper, editor of the Arkansas Writer, has written some creditable poetry, though most of his literary work has been his prose writings. His sketch of Octave Thanet in the Library of Southern Literature is exceptionally well written.

While still a comparatively young man, Fay Hempstead had published a volume of poems under the name of "Random Arrows." Other verses were written by him in later years. In 1908 Mr. Hempstead was made poet laureate of Freemasonry at a meeting of that order in Chicago. This distinction has been conferred on only two other men—Robert Burns and Robert Morris.

Fannie Borland Moores, a daughter of Senator Solon Borland, contributed a number of poems to newspapers and magazines, but so far as known they were never collected and published in book form. Her poem "At My Father's Feet," is a tribute to her father, who for many years was prominent in Arkansas affairs.

Rt. Rev. Henry N. Pierce, Episcopal bishop of the Little Rock Diocese, published a volume of poems entitled "The Agnostic," though the book contains but one poem on the Agnostic and about forty others on various subjects.

Mrs. Lillian Rozelle Messenger has also contributed to the poetic productions of the state. Before her marriage she was a contributor to the Ladies Home Journal, when it was edited by Nathaniel P. Willis, writing both short stories and verse. "The Vision of Gold and Other Poems" is her most pretentious poetical work. Others are: "Threads of Fate," "The Southern Cross" and "Fragments from an Old Inn."

The poem entitled "Arkansas," by William Quesenbury (Bill Cush), is one of the best of its kind. It was published in pamphlet form some years ago, with other selections from Mr. Quesenbury's pen.

MISCELLANEOUS

Almost every subject has been touched at some time or another by Arkansas writers. William C. Braly wrote a "History of Cane Hill College." Morris M. Cohn, the Little Rock attorney, wrote "An Introduction to the Study of the Constitution." William A. Falconer wrote on "Our Liquor Licensing Sys-

tem." This article was published in the third volume of the Arkansas Historical Publications.

"Shadow and Light" is an autobiography of Mifflin W. Gibbs and was published in 1902. Mr. Gibbs was a free negro, born in the City of Philadelphia in 1828. He acquired an education, traveled extensively, and after accumulating a comfortable fortune decided to settle in the South, where he would be in touch with his race. About 1870 he located in Little Rock, where he completed his legal studies and was admitted to the bar. In 1873 the people of Little Rock elected him to the office of city judge, the first colored man in the United States to be elected to such a position. His election to this office, as well as the respect shown to him by white people, contradicts the oft repeated statement that the colored race does not have fair play in the South.

W. H. Harvey, frequently referred to as "Coin" Harvey, was at one time a resident of Benton County. He wrote "Coin's Financial School," which was widely quoted in the political campaign of 1896, the "Tale of Two Nations," and "Character Building." Mrs. Virginia Carroll Pemberton, of Little Rock, wrote "Letters from Italy, Switzerland and Germany," countries through which she traveled.

George B. Rose, of Little Rock, is the author of "Renaissance Masters" and "The World's Leading Painters," the former published in 1908 and the latter in 1912. Mr. Rose is also the author of "Wasted Moments," a small volume of short lyrics; "Sebastian," a drama poem; "Doctor Ellison," and "William Wilson," which the author describes as "true stories of Little Rock." He has also written on the "Bench and Bar of Arkansas," and a "Memoir" of his father, the late U. M. Rose.

Much of Judge U. M. Rose's literary work took the form of addresses before bar associations, graduating classes and miscellaneous audiences. After his death his principal lectures and addresses were collected and published in book form. The volume contains fourteen addresses and some translations of poetry from the French and German.

Judge Uriah M. Rose was born at Lebanon, Kentucky, March 5, 1834, a son of Dr. Joseph and Nancy (Simpson) Rose. He graduated at the Transylvania University, Lexington, Kentucky, with the class of 1853 and the same year was admitted to the bar. Soon after that he came to Arkansas and located at Batesville. In 1860 Governor Elias N. Conway appointed him chancellor of the Pulaski Chancery Court and he removed to Little Rock. He accompanied the Flanagin administration when it removed to Washington, but at the close of the war returned to Little Rock, where he practiced law until a short time before his death on August 12, 1913.

Bacon said: "Reading makes a full man; speaking a ready man; writing a correct man." Judge Rose filled all these requirements. His fine private library of some seven thousand volumes contained no "trash," and his books covered a wide range of subjects. They were not for ornament, but for use. In his arguments before juries he acquired a readiness of speech rarely excelled, and his addresses were always written and corrected before they were delivered. He was honored by being elected president of the American Bar Association in 1901, and in 1907 President Roosevelt appointed him one of the United States

commissioners to the International Peace Conference at the Hague. His statue is in the Hall of Fame at Washington, as one of Arkansas' really great men.

Jesse Turner wrote a review of the constitutional convention of 1836, which was published in Volume III of the Arkansas Historical Publications. W. J. Weaver, one of the Fort Smith pioneers, was the author of "Memories of Old Fort Smith," which contains much of the early history of that place, and W. B. Worthen wrote "Early Banking in Arkansas."

AUTHORS' AND COMPOSERS' SOCIETY

The above list of writers does not include all the Arkansans who have won more or less distinction with the pen. Through the efforts of Mrs. C. E. Whitney, the well known musician, composer and writer of Little Rock, the Authors' and Composers' Society of Arkansas was organized on June 1, 1914, with forty-four charter members and the following officers: Mrs. C. E. Whitney, president; Mrs. Josie Frazee Cappleman, vice president; Clio Harper, recording secretary; Fay Hempstead, corresponding secretary; F. D. Baars, treasurer; Mrs. Luella Riley Spencer, librarian.

At first the society was intended as a Little Rock institution, but the interest manifested led the organizers to make it statewide in scope. Since the formation of the society the membership has constantly increased until all parts of the state are represented. In March, 1919, the society began the publication of "News and Notes," giving news of the work of the society, etc. The name of the publication was afterward changed to the "Arkansas Writer." It is issued monthly, each number containing articles, poems, etc., written by the members. The "Arkansas Writer" Company was incorporated in December, 1921, with M. E. Dunaway, president; Mrs. K. G. Tallqvist, vice president; G. C. Middleton, secretary-treasurer; Clio Harper, editor.

PART VI

MILITARY

CHAPTER XXXV

EARLY MILITARY HISTORY

GOVERNOR MILLER ORGANIZES THE MILITIA—CHEROKEE AND OSAGE DISPUTES—INDIAN HOSTILITIES—A TEMPORARY PEACE—A MILITIA MUSTER—TEXAS REVOLUTION—THE SEMINOLE WAR—FOWLER'S BATTALION.

Because there is not much of it, the early military history of Arkansas is soon told. When the territory was created in 1819, there were several hundred Indians living within its borders. For the most part these Indians were friendly to the whites, but Governor Miller brought with him a supply of arms and ammunition. Acting upon the theory that "an ounce of prevention is worth a pound of cure," the governor, soon after his arrival at Arkansas Post, appointed William O. Allen as brigadier-general and issued an order for the immediate organization of the territorial militia.

The treaty of July 8, 1817, which granted to the Cherokee Indians a large tract of land between the Arkansas and White rivers, was productive of much trouble between the Indian tribes. The Osage resented the presence of the Cherokee in what had formerly been their tribal hunting grounds, and white settlers living near the Indian boundary lines were in constant danger of becoming involved in an Indian war. The Osage boundary, as fixed by the treaty of 1808, ran due south from Fort Clark to the Arkansas River at the mouth of Frog Bayou. The Cherokee claimed that their boundary was to begin on the Arkansas River about ten miles above Fort Smith and run in a northeasterly direction to the White River. Thus both tribes claimed a considerable portion of what is now Crawford County, and all efforts of the white people to bring about a peace were futile. The Arkansas Gazette of December 30, 1820, said:

INDIAN HOSTILITIES

"The long expected war between the Osage and Cherokee nations of Indians has at length broken out. Report says that the former are the aggressors. We understand that a party of about seventy of the Osages made an attack upon a hunting camp of the Cherokees a short time since, in which the latter had two killed and one wounded, and lost all their horses and other property; the Osages had one killed. This affair took place on the Poteau, and no great distance from Fort Smith.

"Governor Miller has been at Fort Smith and in the Indian country since early in November, endeavoring to settle the disputes between the hostile nations, but without success. When the news of the above affair was received by the Cherokees they could no longer be restrained, and Governor Miller was reluctantly obliged to let them settle their disputes in their own way. The

Cherokees have for some time shown a hostile disposition toward the Osages, and it is said are determined to drive them from their country and possess it themselves. We also learn that the Shawnees and Delawares, now on their way to this territory from Indiana, intend joining the Cherokees. If this be correct we have but little doubt that the result of these hostile moments will be fatal to the Osages. The Osages are a bold and warlike people, but it said they are badly supplied with arms and ammunition—their principal weapons are bows and arrows; they have a few muskets and shotguns, but make very little use of the rifle. The Cherokees are said to be well supplied with everything necessary for a vigorous prosecution of the war.

"Let the results of these movements be what they may, the white inhabitants settled in the country by the name of Lovely's Purchase will be placed in a perilous situation. We understand that a party of Osages lately went to the house of a citizen of Hempstead County (Hempstead was much larger then than now) while the male part of the family were away from home and robbed it of everything of value that they could find. They also carried off four or five horses."

A TEMPORARY PEACE

It was this affair which took Governor Miller into the Indian country. Accompanied by four of the Cherokee chiefs, he went to the principal Osage village and demanded the surrender of the leaders of the party that had committed the outrage. The Osage received him courteously and agreed to surrender the men, provided the Cherokee would meet them at Fort Smith and deliver their Osage prisoners, as they had agreed to do in the treaty of friendship made by Governor William Clark in 1818. The meeting at Fort Smith resulted in a temporary peace, and Governor Miller returned to Arkansas Post.

The term "temporary peace" is used advisedly. It was not long until new disputes arose over the boundary between the two tribes, and in 1821 a war broke out which lasted over a year and kept the white settlers in constant fear for their lives and property. United States troops were finally brought on the scene and stopped the war, but the dispute was not settled until the Cherokee line was run in 1825.

In the meantime General Allen had been killed in a duel with Robert C. Oden, and early in March, 1821, Edmund Hogan was appointed by President Monroe brigadier-general of the Arkansas militia. He served until he was killed by Andrew Scott in May, 1828, when William Montgomery was appointed.

A MILITIA MUSTER

During the territorial period the organization of the militia was kept up, though the absence of any real demand for military service caused a general apathy among the people, and the militia was regarded by many as a sort of joke. Most of the companies were without arms and otherwise poorly equipped. In his "Early Days in Arkansas," William F. Pope relates the following ludicrous account of a militia muster:

"Shortly after my arrival in Little Rock, the annual regimental muster of

the militia of the county took place. During the previous summer one Christian Brumbach, a German bricklayer and plasterer, was elected colonel of the regiment. The election of Brumbach to the colonelcy was effected more in the spirit of fun than otherwise, hardly anyone supposing for a minute that he would accept the proffered honor. He did accept, however, qualified and was duly commissioned by the governor. Colonel Brumbach, as I shall now call him, at once set about organizing his staff and getting ready for the annual muster. He went to considerable expense in procuring a uniform befitting his rank. This uniform was fashioned after that worn by officers in the Revolutionary war, and was profusely bedecked with gold lace and gilt bullet buttons. He also wore a cocked hat and feather. The colonel was a heavy set man, very awkward in his movements, and had a face resembling the full moon. Besides, he was bow-legged and pigeon-toed—certainly not a very acceptable model for a soldier.

"In the regiment was a company commanded by Captain Fowler, the law partner of Robert Crittenden. Fowler's company, as it was called, was composed of the flower of Little Rock's chivalry, and was handsomely uniformed and equipped and splendidly drilled. The balance of the regiment was composed of those persons from different parts of the county who were subject to military duty. This part of the regiment reported at the annual muster, clad in what seemed to each individual militiaman best fitting the occasion, or as necessity demanded. They were armed in a like indiscriminate fashion. Some had long squirrel rifles, some shotguns, while others had hickory sticks, blue cotton umbrellas and other such warlike weapons. The regimental band consisted of a fife and drum, and the repertoire consisted chiefly of 'Yankee Doodle,' the 'White Cockade,' and such like inspiring tunes.

"The place appointed for the rendezvous was an open block between Main and Scott streets, and what are now Sixth and Seventh streets. As soon as the regiment was formed, the colonel appeared, gorgeously appareled and mounted on a tall, raw-boned white horse, very finely caparisoned. After putting his troops through several evolutions, he marched them down to the corner of Main and Markham streets, where they were to be inspected and reviewed by the governor. Just as the governor and his staff were passing down the line on their tour of inspection, a heavy rain that had been threatening all day came down in torrents, and the whole regiment, with the exception of Fowler's company and a few members of other companies, precipitately broke ranks and made for shelter in the neighboring houses, leaving the colonel with no regiment to command, and the governor none to inspect.

"The scene was ludicrous in the extreme, the doughty colonel, his handsome uniform soaked with water and feathers bedraggled, trying in vain to rally his scattered forces, while those who were armed with umbrellas were standing in the now almost deserted ranks, using their 'weapons' as protection against the downpour of rain. The colonel was so mortified and chagrined at the conduct of his troops in the presence of the commander-in-chief that he ordered a court-martial to try the runaways. The court-martial fined each man who left the ranks $5, and the colonel compelled payment in every case. This ended Colonel Brumbach's career as an officer, for at the next election for regimental officers, which came off shortly afterwards, he was relegated to the ranks."

TEXAS REVOLUTION

When the Texas people in 1834 rebelled against the Mexican authority, it was estimated that there were more than ten thousand citizens of the United States in Texas. Early in 1835 Gen. Santa Anna, the Mexican dictator, sent troops into Texas, ostensibly to protect the settlements from Indian depredations, but really to overawe the people. In fights with the Mexicans at Gonzales, San Antonio de Bejar and Goliad, the Texans were victorious, and at the close of the year 1835 there was not a single Mexican soldier in Texas. Late in December, 1835, letters were written by Texans to their friends in the United States, stating that the Texas Republic (though the republic was really not established until several months later) wanted 3,500 volunteers, each of whom would receive "the same pay, rations and clothing which were allowed to the soldiers of the United States army in the last war; and in addition each will receive 640 acres of prime land. Those who enlist in the service for twelve months only will receive 320 acres of land."

This was not an official call for troops, but it amounted to the same thing, so far as results were concerned. Hundreds of Americans, especially from the states of Georgia, Tennessee, Missouri and Arkansas, hurried to the assistance of their brethren in Texas. The leaders of the revolution expected the letters to bring assistance, and they were not to be disappointed. The Mexican minister, Gorostiza, complained to the state department that American citizens were violating the laws of neutrality by enlisting with the Texans. The department sent instructions to the United States district attorneys in the states where persons were working in behalf of Texas, "to prosecute any infractions of law." Invariably the attorneys reported that they were unable to "make a case," as the laws did not prohibit individuals from emigrating and taking their property with them. About all the "property" taken by the volunteers was their wearing apparel, rifle, a supply of ammunition, and perhaps a horse. As a matter of fact, the attorneys were not anxious to prosecute. And it is extremely doubtful whether a jury could have been found to convict, even if arrests had been made, such was the feeling and sympathy for the struggling Texans.

Rejoicing over the victories of 1835 was soon turned to sorrow, for by the end of February, 1836, Santa Anna was at San Antonio with 2,000 men. Then followed the massacre at the Alamo on the 6th of March, when Col. W. B. Travis, David Crockett and James Bowie were among the Americans who were "shot down like dogs." Col. Joseph Fannin was at Goliad with 400 men, mostly from Georgia and Tennessee, and was ordered by Gen. Samuel Houston to march to the relief of Travis. Fannin encountered a Mexican force of nearly two thousand under General Urrea and surrendered, with the understanding that he and his men would be conducted to the United States border and there released. Instead they were taken to Goliad, where they were divided into squads and shot by order of Santa Anna.

News of these tragic events reached little Rock in April. On Saturday evening, April 23, 1836, a meeting was held and Albert Pike offered the following resolution, which was unanimously adopted: "Resolved, that a committee of three be appointed to receive subscriptions, and also a committee of

two to receive the names of volunteers and to supply them with means to enable them to go to Texas."

N. H. Badgett, J. N. Boyle and R. C. Hawkins were appointed as the former committee, and Albert Pike and Robertson Childress as the latter. None of the organized Arkansas militia was ordered to Texas. Just how many volunteers enrolled, or how much money was subscribed will probably never be known, but it is certain that many Arkansans answered the call and a large number of those who went to Texas remained there as permanent citizens. (See chapter on the Mexican War.)

SEMINOLE WAR

On May 9, 1832, a treaty was made with the Seminole Indians of Florida at a place called Payne's Landing. By this treaty the tribe agreed to send a delegation to select lands west of the Mississippi for a new home, and surrender their lands in Florida to the whites. The delegation went to the Indian Territory, found lands that were satisfactory, and on March 28, 1833, entered into a new treaty at Fort Gibson, confirming the treaty of Payne's Landing.

During the absence of the delegation, the chief, Osceola, who had been opposed to giving up their lands in Florida from the beginning of the negotiations, induced a number of chiefs to repudiate the treaty and join him in resisting removal. Several conferences were held, but without accomplishing anything definite. On December 28, 1835, the Seminole war broke out by the murder of the Indian agent and a Lieutenant Smith at Fort King. The same day two companies of infantry, commanded by Major Dade, were ambushed while marching to the relief of Fort King. Of the 110 officers and men in the two companies, only three escaped.

To quell the uprising in Florida, the regular troops were withdrawn from the forts in the Indian Territory, leaving the western frontier of Arkansas exposed to an Indian attack. On May 4, 1836, Governor Fulton informed Brig.-Gen. George Hill that information had been received at the executive office that Mexican emissaries were among the tribes of the Indian Territory, trying to incite them to attack the frontier settlements. He instructed General Hill to direct the commandants of regiments in his brigade to organize immediately, put their commands in a state of readiness to take the field, and be ready to march at a minute's warning.

On June 28, 1836, Gen. Edmund P. Gaines called on Governor Fulton for a regiment—one-half of the men to be mounted—for the defense of the western frontier. The governor issued his proclamation on July 19, 1836, calling for the formation of a regiment, but only six companies were raised. These companies and their officers were as follows:

Saline County Company—Robert Brazil, captain; Jesse Spencer, first lieutenant; Johnson J. Joyner, second lieutenant.

Pulaski County Company—John R. Cummins, captain; William Badgett, first lieutenant; William W. White, second lieutenant.

Hempstead County Company—Samuel Moore, captain; Robert L. Davis, first lieutenant; Robert Cross, second lieutenant.

Conway County Company—Thomas Mathers, captain; Alexander G. McFarland, first lieutenant; Peter Kuykendall, second lieutenant.

Pope County Company—Laban C. Howell, captain; John R. Homer Scott, first lieutenant; Samuel Hays, second lieutenant.

Sevier County Company—Charles Pettigrew, captain; Robert Walker, first lieutenant; William Whitehead, second lieutenant.

When the companies, armed and mounted, met for organization, Captain Howell was elected colonel, and Absalom Fowler, lieutenant colonel. Then it was discovered that the strength of the organization did not warrant the election of a colonel. Captain Howell agreed to remain at the head of his company, and the men were mustered in as a battalion, with the following field and staff officers: Absalom Fowler, lieutenant colonel; Robertson Childress, adjutant; Allen Martin, quartermaster; Samuel D. Blackburn, sergeant-major; Dr. James Bird, surgeon. The battalion marched to Fort Towson, on the Red River, which formed the boundary line between the Indian Territory and Texas, where the men performed scout duty until relieved by regular troops the following summer.

About the time this battalion was mustered in, General Gaines was superseded by Gen. Matthew Arbuckle. In August, General Arbuckle made a requisition on Governor Fulton for more men. On September 5, 1836, the governor issued a proclamation calling on the counties of Carroll, Crawford, Independence, Izard, Jackson, Johnson, Lawrence, Scott, Searcy and Washington to raise the required quota. The companies raised under this call were not organized into a battalion, but served independently in Benton and Washington counties to keep the peace between two hostile factions of the Cherokee nation and to protect the settlers from Indian depredations.

On March 6, 1837, Osceola surrendered to General Jesup, and it was thought the war in Florida was over. A portion of the regular troops that had been engaged in Florida returned to the western posts. It was not long, however, until Osceola again repudiated a treaty and the Seminole war broke out anew. Through the efforts of Ambrose H. Sevier, the Arkansas delegate in Congress, six companies of infantry and two companies of dragoons were stationed at Fort Towson and the men in Fowler's battalion were allowed to return to their homes.

While these events were taking place, Congress recognized the independence of Texas, and Arkansas was admitted into the Union as a state. Under the state government the militia was reorganized, but there was no further call for its services until the beginning of the war with Mexico, an account of which is given in the next chapter.

CHAPTER XXXVI

THE WAR WITH MEXICO

CAUSES OF THE WAR—AMERICANS SETTLE TEXAS—THE TEXAS REVOLUTION—DAVID CROCKETT—INDEPENDENCE OF TEXAS—ANNEXED TO THE UNITED STATES—WAR DECLARED—HOW ARKANSAS ANSWERED THE CALL—ROSTER, MOUNTED VOLUNTEERS—AT BUENA VISTA—THE BATTALION ROSTER—CAPTAIN ENYART'S COMPANY—CAPTAIN MEARS' COMPANY—CAPTAIN WOODS' COMPANY—TREATY OF GUADALUPE HIDALGO.

The greater part of what is now the State of Texas was once included in the Province of Louisiana. In 1819 Spain ceded Florida to the United States and received in return all that part of the Louisiana Purchase lying within the limits of Texas, which then extended northward to the forty-second parallel. Prior to 1819 no real effort had been made to found settlements in Texas, the territory being left unpeopled to act as a barrier between the United States and the Spanish settlements in Mexico. When Mexico achieved her independence in 1821, the new government adopted the policy of developing the district so long neglected. To this end a large tract of land was granted to Moses Austin, of Connecticut, on condition that he would establish thereon a colony of three hundred American families. Moses Austin died soon afterward, but the grant was confirmed to his son, Stephen Austin, who was given the privilege of increasing the number of families to five hundred. Under this arrangement the nucleus of American settlement was planted in Texas during the next two years.

On October 4, 1824, the people of Mexico adopted a constitution, under which was formed the Mexican Republic, composed of separate states. Texas and Coahuila were united as one of those states, the constitution of which was patterned after those of the states of the American Union. During the next ten years the number of American settlers in Texas greatly increased. In 1835 a military revolution broke out in the City of Mexico, which ultimately became powerful enough to subvert the federal and state governments and establish Gen. Miguel Barragan as military dictator. Upon his order the Mexican Congress passed an act—or rather ratified a decree—converting the states into mere departments of the central dictatorship. Such a policy did not meet with the approbation of the American settlers and the Austin colony soon became a "thorn in the side" of the military dictator. Under the leadership of Gen. Samuel Houston, of Tennessee, the Americans refused to submit to the decree and in 1835 instituted an armed revolt.

DAVID CROCKETT

On November 12, 1835, David Crockett and a small party of Tennesseeans arrived in Little Rock on their way to Texas to aid the patriots in their

struggle for independence. The following graphic account of Crockett's visit is taken from Pope's "Early Days in Arkansas."

"When it was known that the noted Tennesseean was in town a committee waited upon him to tender him a complimentary dinner. When the committee, of which Col. Robertson Childers was chairman, reached the hotel, they found a number of strangers sitting on the porch, and on inquiring for Colonel Crockett, were informed that he was in the back yard slaughtering a deer, which he had killed some five miles out of town. There they found the future hero of the 'Alamo' engaged in his bloody task. Upon being addressed by Colonel Childers, Crockett turned and as he faced the speaker, exclaimed: 'Robertson Childers, as I'm alive,' recognizing an old Tennessee acquaintance. Referring to the deer he was engaged in skinning, he remarked: 'I made him turn ends at two hundred yards.' Old hunters will appreciate this turning of ends.

"The Rifle Club of Philadelphia had recently presented Colonel Crockett with a magnificent rifle of the most approved pattern, the stock and barrel of which were richly inlaid with silver. This relic is still in the possession of his grandson, Col. Bob Crockett, of Arkansas County; also the old-fashioned time-piece, with its buckskin guard intact (as it was taken from its owner's body after the fall of the Alamo). The rifle with which he had made the deer 'turn ends at two hundred yards' was a long, old-fashioned deer rifle, with flint lock, and which he tenderly referred to as 'Old Bet.'

"Colonel Crockett declined the dinner, stating that he and some of his neighbors were on their way to Texas to assist the people of that Province to gain their independence, and that they were anxious to reach the scene of conflict. He remarked at the same time that he hoped there were no deputy marshals present, having in mind, doubtless, President Jackson's order of neutrality. He was assured that he might freely express his sentiments on that question, as the people of Arkansas were in deep sympathy with the Texans in the present struggle.

"While declining the public dinner, Colonel Crockett informed the committee that he would be pleased to address the citizens for a short time that evening. An impromptu banquet was hurriedly gotten up at the City Hotel on Elm Street, kept by Charles L. Jeffries.

"I was very agreeably surprised in Colonel Crockett, both as to his manners and personal appearance. I had always been of the impression that the clown was one of his leading characteristics. His manner was dignified and gentlemanly, and, while he showed some lack of a thorough education, he displayed a wide range of information upon the leading topics of the day. While his speech abounded in flashes of wit and humor, it never descended to the clownish or vulgar."

Judge Pope's description of the rifle presented to Crockett by the young men of Philadelphia is not quite complete. The stock was inlaid with silver, while on the upper surface of the barrel, in letters of gold, was Crockett's famous motto: "Be sure you are right, then go ahead." This rifle descended to John W. Crockett, a son of Col. Robert Crockett, by whom it was placed in the custody of the Arkansas History Commission. The morning after the impromptu banquet, the little party, well mounted, took its departure for Texas.

INDEPENDENCE

On March 2, 1836, the revolutionists issued and promulgated a declaration of independence, to the effect that "all political connection with Mexico is forever ended and the people of Texas do now constitute a free, sovereign and independent republic."

Gen. Antonio Lopez de Santa Anna, who had succeeded Barragan as dictator, was then marching with an armed force against the Texans. Four days after the adoption of the declaration of independence occurred the historic massacre of the Alamo. This dastardly deed was avenged on April 21, 1836, by the battle of San Jacinto, in which the Mexicans were ingloriously defeated by the Texans under General Houston. Santa Anna and several of his leading officers were captured. The following month the dictator, while still a prisoner, entered into a treaty acknowledging the independence of Texas, with the Rio Grande as the western boundary. In September, 1836, the Constitution of Texas was ratified by the people and General Houston was elected president.

ANNEXED TO THE UNITED STATES

Previous to the recognition of the Republic of Texas by the Mexican authorities, the United States had made repeated offers to purchase the territory but they all had been rejected. After the establishment of the republic it was not long until President Houston and other Americans sought annexation to the United States, claiming that more than one hundred thousand emigrants from the States had already settled in Texas. The proposition did not take definite form until 1844. In the political campaign of that year the democratic party nominated James K. Polk for President and declared in favor of annexation, while the Whigs, with Henry Clay as their candidate, opposed it.

Polk was elected, and the people having thus expressed themselves in favor of annexation, Congress passed the annexation bill on March 1, 1845. It was signed by President Tyler, three days before Polk was inaugurated. The bill provided that certain conditions should be complied with before it became effective. These conditions were accepted by a vote of the Texans and the republic then became a part of the United States. It was admitted into the Union as a state on December 29, 1845.

WAR DECLARED

The action of the United States in annexing Texas and admitting it as a state was displeasing to the Mexican Government, which for ten years had entertained hopes of regaining sovereignty over the territory. At the time Texas was admitted the military forces of the United States in the Southwest were commanded by Gen. Zachary Taylor, who was ordered to take possession of the country and hold it against Mexican aggression until the boundary question could be adjusted. Early in the year 1846 the Mexican General Arista began mobilizing a large military force along the Rio Grande, to which stream General Taylor's "Army of Occupation" was ordered to advance.

After establishing a depot of supplies at Point Isabel, at the mouth of the

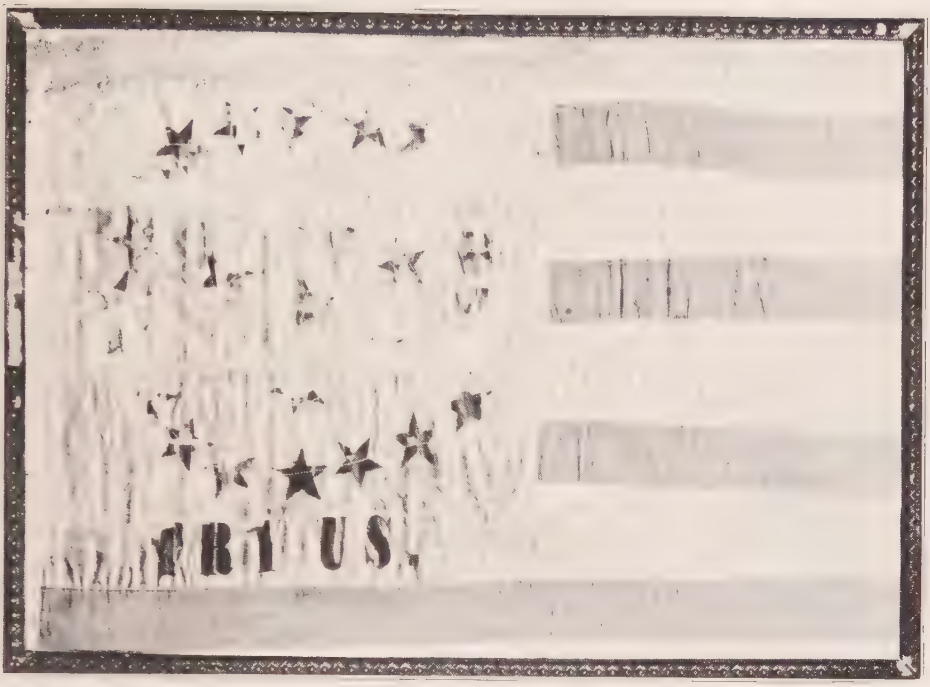
Rio Grande, Taylor moved up the river and built Fort Brown (now Brownsville) opposite the Mexican Town of Matamoras, where General Arista had his headquarters. The first clash came on May 8, 1846, when the Mexicans were defeated in the battle of Palo Alto. Reinforcements coming to General Arista late in the day, he renewed the fight on the 9th at Resaca de la Palma, where the American arms were again victorious. The news of these engagements aroused the war spirit throughout the United States, particularly in the Lower Mississippi Valley. The Whigs forgot the old political differences of opinion regarding annexation and men of all political parties offered their services to put a stop to Mexican aggression. On May 11, 1846, two days after the battle of Resaca de la Palma, Congress declared in a resolution that "war already exists by act of the Mexican Government." On the same day an act was passed authorizing the President to accept the services of 50,000 volunteers, and placing at his disposal the sum of $10,000,000 to provide for the national defense. President Polk approved the act on May 13, 1846, and called upon the various states and territories for eighty-six and a half regiments—the half regiment to be furnished by the District of Columbia—the men "to serve for the term of twelve months, unless sooner discharged."

HOW ARKANSAS ANSWERED THE CALL

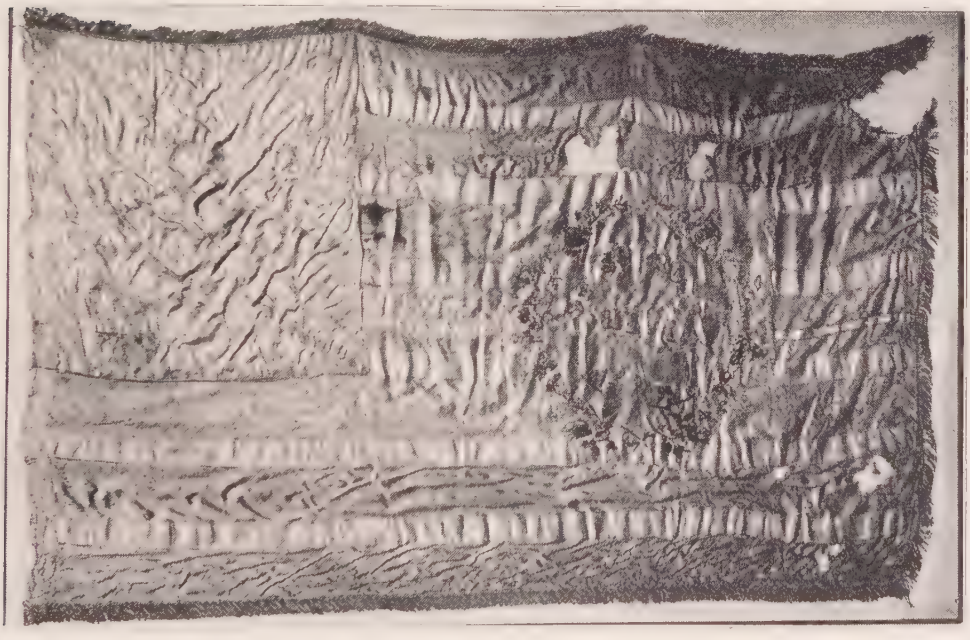
Arkansas was called upon to furnish one regiment of mounted men for service in Mexico, and one battalion to guard the western frontier of the state. The latter was made necessary because the regular garrisons in the western forts were ordered to Mexico. As soon as the requisition reached Gov. Thomas S. Drew, he issued his proclamation calling upon the able-bodied men of the state to enlist for such service and to rendezvous at Washington, the county seat of Hempstead County. The manner in which the call was answered is thus described in Governor Drew's message to the Legislature on November 3, 1846:

"Without any means in the treasury, or credit on the part of the state, to provide for the maintenance of troops, our citizens responded to the call with an alacrity highly creditable to their patriotism and valor; and such was their ardor for the service, that more than the quota of the requisition were speedily enrolled and ready for the expedition. They never paused to inquire as to their indemnity for loss of time, the expenditure of money, or the probable chance of failure to be received into the service. One company marched 250 miles to the place of rendezvous, and returned home, dependent upon their own means and the hospitality of the people for their subsistence. Instances like these, occurring as they have in most states as well as ours, must be gratifying to the patriot, and give a flattering earnest of the answer the country might expect when she calls upon her citizen-soldiery. They afford also the best evidence of our moral and physical power as a nation, and the individual courage and devotion to country, for which our population has ever been distinguished. It is a spectacle upon which the enslaved millions of the old world must look with wonder, and can not fail to awaken their attention to the progress of that great experiment of a 'government by the people,' which our example furnishes to mankind."

Perhaps no other state in the Union had as great an incentive for entering



MEXICAN WAR FLAG
Made by women of Little Rock for "Capital Guards," later Company E, Arkansas Mounted Volunteers



MEXICAN WAR FLAG
Made by women of Van Buren for "Van Buren Avengers," later Company F, Arkansas Mounted Volunteers

the war as Arkansas. Next door to Texas, they were as "brothers of one family." Many of the Americans from the states east of the Mississippi, on their way to Texas, had passed through Arkansas, and some of them had lived for awhile in the state before continuing their journey. For years the letters of Stephen Austin, giving an account of the progress of his colony, had appeared in the newspapers and had been read with intense interest by the people of the state. From 1835 to the declaration of war in 1846, the Arkansas newspapers had constantly published news of the Texas revolution and had openly expressed sympathy with the struggle the Americans there were making for independence. This expression of sympathy found an echo in the hearts of the Arkansans. It awakened public sentiment in favor of the revolutionists and stirred up the fighting spirit. The leaders of the revolution were well known and popular in Arkansas. When General Houston, after the inhuman massacre at the Alamo, called upon the people of the United States for assistance, a large number of young men from Arkansas had rallied to the standard of the "Lone Star Republic." Then, too, the people of Arkansas were firm in the belief that for ten years or more, as stated in the preceding chapter, Mexican influence had been actively exerted among the Indians to incite them to "dig up the hatchet" and make war upon the settlements of the western frontier. The call for volunteers gave them an opportunity to settle old scores, and the prompt response of her gallant sons indicated that the settlement was to be both summary and final.

ROSTER, MOUNTED VOLUNTEERS

This regiment, designated in some of the reports as the "First Arkansas Volunteer Cavalry," was mustered into the United States service by companies between June 29 and July 10, 1846, at Washington, Arkansas. The field and staff officers during its term of service were as follows: Archibald Yell, colonel; John S. Roane, lieutenant-colonel; Solon Borland, major; Gaston Mears and Benjamin F. Ross, adjutants; H. M. Vandaven, quartermaster; Edwin H. Roane, surgeon; John W. Glenn, assistant surgeon; Josiah Houston, sergeant-major; John S. Houston, sergeant-major; Cincinnatus Frousdale, quartermaster-sergeant; James McVicar, quartermaster-sergeant; Samuel Pinkerton, quartermaster-sergeant; A. F. Morrison, commissary; George W. Parker, assistant commissary; James H. Leroy, paymaster.

Colonel Yell resigned his seat in Congress and enlisted as a private in Company B. Upon the organization of the regiment he was elected and commissioned colonel. He was killed in the battle of Buena Vista, February 23, 1847, and Lieutenant-Colonel Roane was promoted to the vacancy caused by his death.

Company A was recruited in Pope County. It was mustered in on July 1, 1846, with James S. Moffett as captain; H. W. Taylor, first lieutenant; Cincinnatus Frousdale, second lieutenant. Lieutenant Frousdale was appointed quartermaster-sergeant five days later and was mustered out in July, 1847, as first lieutenant of Company A. After his promotion the second lieutenants of Company A were Walter F. Scott and Addison Cochran.

The non-commissioned officers of the company were: William R. Rushing, first sergeant; Hugh L. Hamilton, Dennis Rushing and Levi Mason, sergeants;

Samuel W. Mason, Robert L. Hamilton, Jacob L. Shinn and Madison L. Poplin, corporals; Thomas Logan, bugler; John W. Aylor, bugler; N. K. Eubanks, farrier.

Privates—James F. Allen, James W. Beeson, Jefferson P. Britt, Simeon Brown, Andrew Bruce, James A. Bunch, Joseph T. Burlison, Marcus T. Busan, William Carlton, Bennet Chambers, James C. Copeland, Calender Dow, Andrew W. Edmiston, Napoleon B. Edmiston, James A. Empson, James L. Garner, John M. Gordon, Moses Grayham, Joseph Hand, Silas M. Harkey, P. R. Harkins, George W. Hollager, Ervin Howard, Amosa B. Howell, Starling Hughs, Isaac Johnson, Isaac H. Johnson, Stephen Kellogg, James F. Kiser, William Linzey, David Logan, James B. Logan, John A. Louallen, Barklay H. Lowry, Napoleon B. Lowthers, Joseph McAlister, William McAlister, William McCune, John McNay, John Macome, Simeon Maddox, Harvey Maddox, William Moffet, James Murdock, George Norwood, Henry Parker, Meredith W. Parker, Jonah A. Petray, William S. Petray, Leonard Read, William Reasoner, Alfred W. Ross, Madison Roye, Silas M. Shinn, James H. Smith, James Stout, Andrew Teague, Anderson G. Underwood, James Verdin, Andrew Walker, Alexander Whitlock, Martis S. Williams, Moses Willson, William I. Wood, Willis Yarbrough.

Company B was a Pulaski County organization. It was mustered in on July 6, 1846. The commissioned officers were Solon Borland, captain; Christopher C. Danley, Isaac D. Hamilton and Nathaniel T. Gaines, first lieutenants; Hiram Carr and Josiah M. Giles, second lieutenants. Captain Borland was elected major on July 6, 1846, and Lieutenant Danley was promoted to the captaincy.

In the list of non-commissioned officers appear the names of Wiley B. McNabb, first sergeant; William Turner, Samuel Jeffries, John A. Henry and Jonathan W. Buhoup, sergeants; Henry Dawson, Isaac Ramsey, Alfred B. Peake and Thomas I. Denton, corporals; James H. Leroy and Christian Diehl, buglers; Oliver H. P. Bilby, farrier.

Privates—Isaac N. Beard, Benjamin Blakeney, John H. R. Bostick, Jeremiah E. Brower, Adam Bybee, John A. Cloose, Samuel H. Colquitt, James Colthorp, Walter Cook, Robert M. Cox, Joshua M. Danley, William I. Denton, Horatio Dowd, Willis Dunahoo, Carr Feukenbenner, Witt I. Field, John E. Foster, John L. Fraley, Benjamin Gollier, Samuel P. Griggs, Ethan Hare, Isham Hodges, Almarine Hogan, Woodson B. Hogan, Benjamin F. Hughes, John B. Humphries, William Isbell, Thomas I. Kelly, Wesley Kirkpatrick, George Lavers, James H. Love, William Lucas, John Magness, Ezekiel P. Martin, Charles S. Mooney, David Morris, Daniel T. W. Morrison, Andrew J. Osborne, John Osborne, John B. Pelham, William R. Perth, John Pirtle, Joel Roberts, William Roberts, James Rowland, Joshua Rowland, Samuel S. Rowland, Thomas G. Rowland, William Russell, Willis Russell, Ferdinand A. Sarasin, James Smith, James Sneed, Louis A. Turowski, Ebenezer Van Meter, Green Walker, Count P. Whitten, Lewis P. Williams, Zare Weems.

Johnson County furnished the greater part of Company C, which was mustered in on June 30, 1846. During the time the regiment was in the service, the commissioned officers of the company were: George W. Patrick, captain; James W. Patrick and John F. Hill, first lieutenants; William A. McCain, Joseph Stewart and James F. Fagan, second lieutenants. Lieutenant Patrick resigned in February, 1847, and John F. Hill, a private in the company was

elected as his successor. At the same time Lieutenant Stewart resigned and James F. Fagan, another private, was elected in his place. Lieutenant Fagan afterward rose to the rank of major-general in the Confederate army.

The non-commissioned officers of Company C were: John D. Adams, first sergeant; James Logan, Robert Nesbitt, John G. Perry, William P. Pryor and Hudson I. Shropshire, sergeants; William N. Adams, Allen Gibson, Job Goldsworthy, John M. Turner and Pleasant Williams, corporals; Jesse M. Norton and John F. White, buglers; Robert H. Frost, farrier.

Privates—Washington Aden, William Arbaugh, Ralph Arnold, Benjamin H. Ashworth, William Awalt, James C. Baskins, Jesse H. Bell, John A. Beodie, John Bickerstaff, James Black, Austin P. Braley, Philip K. Cameron, Allen Campbell, Moses W. Carpenter, James Coleman, John G. Connelly, Alexander Davis, John D. Feate, Lewis Fettner, John Gentry, William H. Gentry, William Gibson, James Ham, John R. Hickey, Pleasant Hodges, David Hogan, Mark Jackson, George James, James W. Karns, Thomas King, Richard M. Lee, Pleasant D. Logan, Joel McGill, Josiah Mansco, James Martin, James Mastin, John Matheny, Doctor A. Merryman, Reuben Merryman, John C. Nesbit, William M. Newton, Addison D. Overton, George W. Parker, George L. Patrick, Thomas Puckett, Cyrus Riggs, John Riggs, John F. Roland, Lewis Russell, Joseph W. Shropshire, Joseph Sickle, Houston Siscoe, Samuel B. Stewart, Thomas Tatum, Jesse Ward, William White, John Willis, English S. Yates.

Company D came from Independence County. When mustered in on July 3, 1846, the commissioned officers were: Andrew R. Porter, captain; Franklin W. Desha, first lieutenant; Jesse Searcy and Richard Searcy, second lieutenants. Captain Porter was killed at the battle of Buena Vista, February 23, 1847, and Lieutenant Desha was elected captain on February 28th. Robert F. Finley then became first lieutenant.

Non-commissioned officers—William H. Bateman, first sergeant; Zachariah D. Bogard, Micajah Byrd and Simeon Cason, sergeants; Marcus Chandler, Martin Chrisman, William D. Jones and James Mathews, corporals; Edward W. Jordan and William C. Garrison, buglers; James Richmond, farrier.

Privates—Robert Adams, Calvin H. Bennett, Norman C. Bowen, John B. H. Brown, James Cason, M. P. Chandler, S. E. Chandler, Hiram Clark, John Clark, James W. Crooks, William L. Edwards, Jacob H. Foster, Theobald Freeas, Isaac Golden, Richard Golden, William Golden, George W. Gray, Jonathan Hardin, Ranson H. Hardy, Albert Henson, Solomon Hess, Green H. Higgins, Eli Hogan, James C. Holland, William Holland, Reuben Holland, William C. Hughes, William Johnson, Thomas Ledford, John Magness, Lloyd Magruder, Henry Mosier, Thomas Morgan, Moses Nelson, John Odom, James Osteen, Daniel C. Parker, Harrison Penter, James Penter, William Phipps, George W. Ramsey, Richard M. Saunders, George Screw, William B. Searcy, Jesse Sherrill, Albert Shell, William Shell, Winfield S. Smalley, Lewellen Smith, Hartwell Stephens, Claiborne Taylor, Anderson Tooley, John N. Trimble, Washington Tuggle, Andrew J. Waggoner, Francis L. Waggoner, John L. Waggoner, Robert M. Waggoner, Gilbert Weaver, Jackson White, Jesse G. Wilson, Samuel W. Wilson, Enoch Wolf.

Company E was recruited in Pulaski County. It was mustered in on July 2, 1846, with the following commissioned officers: Albert Pike, captain; Hamil-

ton Reynolds, first lieutenant; William H. Cousin and John C. Peay, second lieutenants.

Non-commissioned officers—John C. Stevenson, first sergeant; James T. Stevenson, Christopher L. Sullivan and Lambert A. Whitely, sergeants; William J. Byrd, Henry Crease, William F. Hicks, William H. Toler and Charles W. Wolfe, corporals; William N. Blanden and Augustus M. Crouch, buglers; Joseph Schneider, farrier.

Privates—William Adamson, Hiram Anson, Stephen Bales, William K. Barnes, Franklin Bolton, John B. Bordon, Hamilton A. Brock, James Brock, Samuel Brookin, Thomas Brownlee, Sterling G. Butler, Andrew C. Cellers, Hugh Collins, Joseph A. Collins, Elisha E. Dismenks, Richard L. Duff, George A. Eagle, Joseph Eagle, Edwin L. Erwin, Daniel O. Farr, Robert C. Farrilly, Cameron Freshlow, Herman Freychlay, Joseph N. Garner, William Glasgow, John Goodesson, Henry C. Gray, Jacob L. Gray, William C. Gray, Elijah Hammond, William H. Hammond, Enos Hannegan, George F. Harris, James H. Hendricks, John M. Hinkston, Sampson G. Hinkston, John Hogan, Isaac Johnson, James Jones, Jesse Jones, George Knapp, James McVicar, George S. Morrison, John R. Mosely, George Musser, Milton P. Newman, William C. Newman, Edward Pate, William Patterson, William T. Poe, Jacob Pschiemer, David Pursley, James Reed, George I. Rose, Adam Schlatter, Jacob Schweitzer, Lawson Sitzes, Elias B. Smith, S. Woods Smith, John Terry, John D. Tharpe, Morgan Ussery, Newton J. White, Charles W. Wolfe (promoted corporal), Alden M. Woodruff.

Company F was raised in Crawford County and was known as the "Van Buren Avengers." It was mustered in on June 29, 1846, at Van Buren and immediately afterward left for Washington, Arkansas. The commissioned officers were: John S. Roane, captain; John J. Dillard, first lieutenant; George Foster, first lieutenant; Alexander Stewart and Leonard Willhoff, second lieutenants. Captain Roane was mustered in as lieutenant-colonel when the regiment was organized, and Lieutenant Dillard was made captain.

The non-commissioned officers of Company F were as follows: Benjamin F. Ross (appointed adjutant), George Y. Latham, John Spratt, William Allouck and James W. B. Davis, sergeants; John Rudy, John Price, Darwin Stewart and David Thompson, corporals; Gideon R. Bell and Micajah H. Parker, buglers; David E. Lewis and Benjamin L. Stewart, farriers.

Privates—William Allen, David Atkins, James Bone, Andrew Boyd, James S. Boyd, Alexander Caddean, Joseph F. Campbell, William Capps, Alexander B. Chew, Robert B. Chew, James B. Compton, George Criner, Aaron Dale, William Duty, James J. Ester, James J. Fean, John Finley, Owen Fogarty, Rufus Forrester, Riley Foster, James A. Hagood, Howell Hardin, James M. Harris, David Hart, John L. Haynes, William L. Holloman, Felix Houck, William A. Houck, Alexander C. Ingraham, Samuel C. Johnson, Samuel Karraus, Moses Kelly, Thomas Larimore, John W. D. Lasater, James W. Little, William R. McFarlane, Andrew L. Marshall, Lewis Moore, James C. Nesbitt, Benjamin F. Nicholson, Isaac Patty, Thomas J. Perkins, George W. Peyton, Pope Benton, George B. Price, Reice Price, William Quesenbury, James C. Roberts, Benjamin Smith, Berry Smith, James H. Smith, Riley Smith, Wiley Stinnett, John Story, Berry H. Taylor, John W. Taylor, Marcus Thomas,

William C. Thomas, John Vice, James J. Waters, Solomon White, M. A. Worley, Harman Wynn (1st), Harman Wynn (2nd).

Company G came from Sevier County. It was mustered in on July 1, 1846, with the following commissioned officers: Edward Hunter captain; James S. Dollarhide and William K. McKean, first lieutenants; Roger McCown and George C. Steward, second lientenants.

The non-commissioned officers were: Thomas W. Wright, first sergeant; Charles G. Lyons, Benton I. Holbrook and Robert G. Brooks, sergeants; James E. Pettus, William C. Crossland, Thomas Gooch, John W. Hull and Isom G. Davis, corporals; Joel A. Hull and Washington Derrick, buglers; Alexander S. Thompson, farrier.

Privates—Aaron Ashbrooks, English Baker, Wesley A. Barnett, Lawrence B. Beckworth, Benjamin Bennett, Edward Bradley, William Brewer, Francis A. Call, William H. Cherry, Lewis Coughran, Andrew Dollarhide, Moses W. Dunlap, Hiram Eastwood, George W. Falkner, Daniel Gentry, Joseph R. Graham, Bugley Greenwood, Josiah W. Greer, William Hail, Joseph D. Ham, Golder Harper, James H. Hardwick, James D. Higgins, William L. Higgins, Josiah Houston, James M. Hughes, Isaac N. James, Allen S. McAfee, Henry McComb, Hiram McFall, John Mathews, Samuel M. Mayfield, Alfred Morris, Henry Morris, James Morris, William Nelson, James Null, John Panter, Robert Perrin, Allen T. Petten, Solomon Phillips, William F. Poston, George C. Prater, Henry C. Pride, William C. Sanders, Cooper Self, Aaron Shannon, Gideon Skidmore, Lewis Slaven, William Slown, Jacob M. Smith, Joseph C. Smoot, Green Sorrell, Jefferson Spencer, George Stennett, George C. Steward, Zachariah Tate, Cornelius B. Tollett, George W. Underwood, Alfred M. Walton, Thomas Willingham, James Woods, Thomas Wright.

Company H was credited to Franklin County. It was mustered in on June 30, 1846, at Ozark, Arkansas, with William C. Preston as captain; Thomas C. Tomberlin, first lieutenant; John W. Tomberlin and Redmond B. Sales, second lieutenants. Lieut. John W. Tomberlin resigned at Aqua, Mexico, and John K. Degroffenreed, a private in the company, was promoted to fill the vacancy.

Non-commissioned officers—Alfred C. Harris, Abraham Guest, John R. White, Patterson Carpenter and William A. Throckmorton, sergeants; Jonathan Russell, James W. Tomberlin, Aaron L. Reed, David D. Hendrix, William Wilmoth, Oliver H. Carpenter and Frederick R. Dunn, corporals; Francis A. Hamilton, James Taylor, James P. Rector and Aaron C. Terry, buglers; Joshua Lilly and Charles Spencer, farriers.

Privates—Oliver Barney, Thomas Berton, Addison M. Bolen, Addison M. Bonsland, Franklin W. Brown, Henry Brown, Joseph N. Carpenter, Martin Carpenter, Yancy P. Christian, William R. Clay, Jackson Cureton, Joel W. Curtis, Francis M. Degroffenreed, John D. Degroffenreed (promoted second lieutenant), Jonathan Eppler, Alvin Foster, Martin Gage, Alexander Hamm, Eliasha Hamm, John Hawkins, David D. Hendricks, Daniel Hudson, Richard F. Huggins, Russell H. Johnson, Patrick O. Kilgin, Joshua Lilly (promoted farrier), James B. McCaslin, George Mainord, Carroll Martin, Hugh Martin, Richard D. Miller, Thomas Morrison, William Morrison, Russell Nott, Thomas Pearson, William M. Pickens, William Ray, James P. Rector, W. J. Richardson, William M. Rieves, David Russell, William T. Self, Lafayette W. Settle, William

I. Smith, James J. Sorrell, William R. Speegle, Charles Spencer, David R. Steel, John N. Steel, Richard D. Steel, Harrison N. Tenneson, Eleasor G. L. Tomberlin, William H. Towers, Andrew J. Tucker, Elijah Tucker, Joel H. Webb, Thomas Webb, Russell Williams, Jackson Wilmoth, William Wilmoth, Andrew Wright, Richard York.

Company I was recruited in Hot Springs and Saline counties. It was mustered in at Washington on July 1, 1846, with the following commissioned officers: William K. Inglish, captain; Thomas A. Reeder, first lieutenant; William Calvert and John C. Douglass, second lieutenants. Lieutenant Douglass was enrolled as a sergeant and was promoted upon the organization of the regiment.

Non-commissioned officers—Samuel Pinkerton, Charles L. Petitt, James Henderson, Anderson Cunningham, Burton Neel, James T. Crawford and Richard P. Hammond, sergeants; Hiram Colbert, Patterson Leech, John Kitterwell, Asa G. Morrow, Simon Stacy and Emanuel P. Berry, corporals; William Mayfield, Miles Haley and William Henson, buglers; Calvin Donahoo, farrier.

Privates—James Adams, Isaiah Allen, Job S. Angling, Cullin Benson, Spencer Benson, James Bland, Moses Bland, George A. Bond, Abner H. Buchan, Thomas T. Conway, Shepherd Crain, William Crawford, George T. Dawson, William Dunahoo, Peter Duval, Ephraim Franklin, Daniel Garrett, John S. Gentry, Samuel Gentry, William Glenn, Robert H. Gunter, Miles Haley (returned to ranks from bugler), William Harrison, James Jean, Joseph Jester, Stephen Jester, John W. Irwin, Oscar E. Jones, William H. Keltner, Joseph R. King, Addison W. Lindsay, Rufus M. Lindsay, James W. Lunsford, Elias McCool, William T. McKnight, David L. Milliner, Jefferson Milliner, John C. Milliner, John H. Mims, Willis Montgomery, John Morgan, Francis Neil, George W. Nichols, Jesse Powell, Jacob Ray, William G. Rector, John H. Reed, Wilson Richard, William Robinson, James Simmons, Thomas Smart, William T. Spencer, Anderson Stinson, William Whaland, John F. White, Jacob Williams, Nathan Workman, Benjamin F. Wright.

Company K came from Phillips County and was mustered in on July 10, 1846. The commissioned officers were as follows: John Preston, Jr., captain; Lewis S. Poe, first lieutenant; Ezekiel H. Gilbert and Davis Thompson, second lieutenants. Lieutenant Poe resigned at Presidio, Mexico, October 14, 1846, and on November 1st Vachel S. Dillingham, a private in the company, was elected to fill the vacancy.

Non-commissioned officers—John C. Palmer, first sergeant; Thomas M. Dickson, James D. Latimer, Pierre A. Barker and Israel P. Risinger, sergeants; James W. Sullivan, Mathew S. Finch, Albert B. Odle, James Hamilton, Nicholas P. Rightor, corporals; Ebenezer G. Harris and Archibald Saunders, buglers; William M. Snively, farrier.

Privates—James Allen, Stephen Alley, Frederick Becker, Edward H. Bevil, Alfred Bryant, Nicholas Burge, Luke Clifford, James Cookerell, Samuel Coree, Anthony W. Crawford, Joseph Dailey, George O. Dickson, Thomas M. Dickson, Augustus G. Dorsey, Thomas Duty, William Edwards, William J. Edwards, Sanford Elliott, Ambrose Ferebee, John Fleenor, Nathan M. Foster, John Gilbert, Philip A. Gilbert, Solomon K. Goodman, John Gray, Mathew Guthrie, James B. Harland, George W. Harris, John M. Hawkins, Robinson Head, Wil-

liam Holder, James M. Ingraham, Barrett R. James, Wade A. James, Richard M. Johnson, Wilkinson B. Johnson, James M. Jones, William H. Jones, Thomas C. Kendall, William Laxon, Lafayette Loyd, John Luster, John McBroom, Isam Manning, Abner Matlock, William E. Moore, William D. Munsay, Dennis Murphy, James H. Neal, James B. Palmer, Ransom H. Price, William Rapplee, Thomas W. Ren, Moses Robinett, Alexander Seaborn, George Semple, Joel D. Simms, J. Freeman Smith, Joseph N. Spencer, Andrew J. Thompson, Lorenzo D. Tomlinson, Joseph Webb.

On May 27, 1847, those who were willing to "reënlist for the war" were discharged at Saltillo, by order of General Wool, and joined the companies organized by Captains Mears and Morris. Several were discharged on account of sickness or disability. Companies E and K were mustered out at Monterey, Mexico, June 7, 1847, and the other eight companies were mustered out at Camargo, Mexico, June 20, 1847. Major Borland and thirty-four men were surprised and captured near Encarnacion on January 23, 1847. They were subsequently exchanged and were mustered out at New Orleans on October 1, 1847.

AT BUENA VISTA

The Arkansas regiment was attached to the division commanded by General Wool. While at Monclova, General Wool detached Companies E and K and organized them into a squadron commanded by Capt. Albert Pike. To this squadron fell the honor of bringing on the battle of Buena Vista, February 23, 1847, the only action of consequence in which the Arkansas troops were engaged. Concerning this battle, Judge Pope, in his "Early Days in Arkansas," says:

"Much adverse criticism has been passed upon the conduct of a large part of the Arkansas regiment at the battle of Buena Vista. This criticism was applied with equal force to the conduct of some of the Indiana and Kentucky troops at the same battle. With the exception of Pike's and Preston's companies, the Arkansas regiment had not been thoroughly drilled. It showed a woeful lack of discipline, and at the battle the companies completely 'lost their heads.'

"Colonel Yell, seeing the disordered state of the command, hastily gathered about him some thirty or forty of his bravest, dashed impetuously with them into the thickest of the fight, and needlessly, nay, recklessly, threw away his life in an attempt to save the honor of his state and his own name. Never fell a braver son of an ungrateful state. After nearly fifty years, no testimonial, erected by the state, tells of his name and fame. A blood-stained sabre belt, taken from his dead body after the battle, now in the office of the secretary of State of Arkansas, alone remains to testify of this brave Arkansan."

Judge Pope's book was published in 1895. The belt mentioned by him is now in the Museum of the Arkansas History Commission. The Americans were outnumbered at Buena Vista four to one, yet against this great odds they achieved one of the most signal victories of the war. Notwithstanding the "adverse criticism," the Arkansas troops did their part to make the history of that battle what it is. In the presence of a superior force, it is not surprising that

raw, undisciplined troops should show signs of panic at the beginning of the engagement. But when the smoke of battle cleared away, the Mexicans were in full flight with the Americans in hot pursuit. Numerous stories of individual bravery during the battle of Buena Vista have been told, one of which will bear repeating here. Joshua M. Danley, a youth of twenty years, was a private in Company B, commanded by his brother, Capt. Christopher C. Danley. Early in the battle a Mexican lancer charged young Danley and inflicted a slight wound in his arm. "Josh" grasped the lance near the head and in the struggle that followed both combatants were unhorsed. In the fall from his horse the Mexican released his hold upon the lance. Danley seized it and ran his enemy through the body with his own weapon. He brought the lance home with him as a trophy.

THE BATTALION ROSTER

The battalion organized for the protection of the western frontier was mustered into the United States service by companies between July 1 and 21, 1846, at Fort Smith, by James H. Prentiss, assistant adjutant-general of the United States. It consisted of five companies, with the following field and staff officers: William Gray, lieutenant-colonel; Caleb Davis, lieutenant and adjutant; Oliver Basham, sergeant-major; William Eubank, quartermaster-sergeant; C. C. Casey, principal musician. These officers were mustered in on July 22, 1846.

Company A was recruited in Johnson County by William Gray, who was promoted lieutenant-colonel when the battalion was fully organized. The company was mustered in on July 1, 1846, with P. B. Collins as captain; R. W. Ward, first lieutenant; T. E. Gillam and J. P. Ring, second lieutenants.

The non-commissioned officers were: H. G. Cloud, H. G. Wilson, James Hardgraves and James T. Gillam, sergeants; G. W. Arbaugh, William Johnson, John Hays, William T. Hyden and Anderson Hays, corporals; Thomas Johnson, Reuben G. Gilleland and Samuel Marney, musicians.

Privates—Jasper N. Armstrong, William Armstrong, William Arnold, Clavin Basham, Oliver Basham (appointed quartermaster-sergeant July 22, 1846), Robert Baskins, John Been, William Belt, Raney Belew, William H. Boyer, Michael Brower, Henry G. Butts, William Cargall, James Carlisle, C. C. Casey (appointed chief musician July 22, 1846), B. S. Clark, Henry Clay, Alexander Cloud, William Cloud, James M. Cripp, James Daley, William Dark, Verminion Davis, William Davis, William I. Duncan, James Gilleland, Reuben P. Gilleland (appointed musician July 11, 1846), William Grace, William P. Greenwood, William Grider, A. I. Hamilton, George Hamilton, Aaron Hazell, Pullam Hickenbotham, David Hiles, Marcus Hill, Alston Hogan, Willis Holt, Isaac Houston, Joseph James, Francis Johnson, Riley Johnson, Thomas Johnson (mustered in as musician), Isaiah Kates, T. H. Lapater, Reuben McFadden, William McKee, Abraham Mathews, Thomas Moore, William Normand, Robert Oadham, John Pearson, John P. Prim, Christopher Riffe, James Riley, B. H. Rowbottom, John Ryan, Claybourne Smith, John Smith, S. W. Smith, Samuel Stewart, Thomas Stewart, Calvin Summers, Hiram Tomlinson, Needham Warren, John Williams, William Williams, Ezeriah Zachery.

Company B was a Pope County organization. It was mustered in at Fort Smith on July 1, 1846, with the following commissioned officers: David West, captain; Stephen Rye, first lieutenant; Newton W. Brown and Caleb Davis. Lieutenant Davis was elected battalion adjutant on July 22, 1846.

Non-commissioned officers—T. J. Lenton, first sergeant; Wiley G. Hills, J. S. Ellis, G. W. Williamson, T. B. West, J. E. Duval, sergeants; Joseph Lewis, G. M. P. Williamson, J. K. Harky, A. A. Dickson and Alexander Wheeler, corporals; Joseph Eno and J. A. Vick buglers; Willis Benefield, fifer.

Privates—J. K. Anthony, J. W. Augustein, J. P. Boon, John Brady, Isaac Brasheers, J. F. Brigance, J. D. Brown, A. R. Bruton, J. C. Chambers, Solomon Crouch, William Crouch, James Davis, J. C. Dickson, J. G. Gillard, William Duval, Ryan Ellis, J. P. Fowler, Jacob Graves, Aaron Haire, James Hifley, Larkin Hill, J. P. Hufstedler, W. N. Hufstedler, William Hulsey, W. M. Johnson, J. W. Kendrick, C. J. Kiser, W. C. Lane, William Lewis, T. J. Linam, Hiram McElya, Wesley Maddox, S. H. Marshall, W. M. Marshall, Clement Mobley, G. A. Neely, Hugh Nelson, William Nelson, Brown Ogle, J. M. Oliver, W. N. Owens, George Park, Jonathan Park, David Parish, G. J. Parish, Mark Prince, Charles Reed, Isaac Reed, H. W. Rye, John S. Severs, Melvin Story, William Stout, M. D. Tackett, A. C. Tatom, Jesse Taylor, Washington Taylor, W. M. H. Tedford, William Tomlinson, Alfred Vick, John W. Warner, George W. White, J. W. Whittle, John Whittle, J. L. Williams, W. M. Williams, Elijah Yates, G. S. Yates.

Company C was organized at Smithville, Craighead County. When the organization was complete the company moved to Fort Smith, where it was mustered in on July 6, 1846. The commissioned officers were: John S. Ficklin, captain; A. H. Imboden, first lieutenant; Henry G. Tucker and James A. Mitchell, second lieutenants.

Non-commissioned officers—William H. Hammond, W. F. Alcorn, John Bridges, Thomas Johnson, David L. Richey and H. T. Drake, sergeants; Hiram Ferguson, Edward Finley, Benjamin F. Bush, Henry P. Tucker and William Vinson, corporals; G. W. Lingo, Isaac Williams and Henry Johnson, buglers; William L. Harris and William H. Johnson, farriers.

Privates—J. F. Anthony, N. T. Baldwin, J. M. Berry, James Blackwell, G. W. Carr, B. F. Chandler, B. M. Childers, J. W. Childers, Madison Curtis, W. R. Curtis, J. W. Davis, R. K. Drake, Elijah Forrester, Riley Gray, William Gray, J. B. Harris, William Humphries, C. W. Lapaki, C. P. Lynch, E. H. Marshall, W. L. Miller, James Mills, J. C. Mitchell 1st, J. C. Mitchell 2nd, Charles Moore, M. K. Moore, M. A. Morris, Nicholas Norris, Jonathan Ogden, Stephen Ogden, William Perkins, W. G. Poer, G. W. Purtle, Calvin Ragsdale, Zacheus Ratcliffe, C. J. Richardson, J. E. Richey, W. W. Ross, William Royals, John Royster, L. M. Russell, S. B. Sanders, John Sharpe, Levi Sharpe, Solomon Sharpe, Preston Sims, Wilburn Sims, Elisha Smith 1st, Elisha Smith 2nd, Samuel Tucker, Robert C. Tweedy, James D. Underwood, John Vance, Clarendon Vinson, C. L. Waddle, Mandeville Wallace, James O. Williams, William Winstead, William C. Wry.

Company D came from Sebastian County. It was mustered in on July 18, 1846, with John H. H. Felch as captain; Charles M. Hudspeth, first lieutenant; Charles W. Russell and Charles S. Rumley, second lieutenants.

The non-commissioned officers of the company were: Edgar W. Cheek, Charles Gray, James Sutton, George Ingalls and Eldridge Byler, sergeants; Joshua Sutton, I. D. Crouch, Jesse Hood, David Keeler, Obediah C. Hooper and Preston Dobson, corporals; James E. Gould, Talcott T. Goff, Abraham Morris and Marcus A. Johnson, buglers.

Privates—John Acklin, Lawrence Allen, Robert Anderson, Presley G. Benge, Elijah Birchfield, James M. Blackwell, Ira Blanchard, John Blaylock, Samuel Bradbury, William Bradley, Henry C. Bushnell, Robert J. Campbell, Edgar W. Cheek (promoted sergeant), John Cobb, John Coleman, Patrick Connolly, Benjamin Cunningham, John Dobbs, John Doyle, Miles Eastes, Samuel Feam, Frederick Fesler, Benjamin French, Michael Galliger, William W. Gillaham, John Hall, Robert Harris, Peter Haughin, Henderson Holybee, Jesse Hood, William G. Hudspeth, William H. Hule, William Irvine, Thomas Jackson, John James, Henry Koontz, Robert M. LaForce, William R. Lamb, James M. Landers, John Lindon, William Long, Thomas McGraw, Adino McNutt, John Machmer, Thomas Martin, William J. Maulby, Alfred Metlock, Russell Mott, John Petty, Adam Peyton, Abraham Pickens, Ransom P. Pilley, George Pond, John Pyron, William Rafeld, Ambrose Reeder, Buford Reeder, Warren W. Reeder, Nathan Rice, Alfred B. Rogers, James J. Rogers, Jefferson Rollin, Samuel Shelby, Victor Sorrells, Benjamin Statem, George S. Statem, John Stemmler, James B. Stephens, William M. Todd, Reuben Traylor, John L. Tubbs, Thomas H. Tucker, Philemon Ward, James Wardrup, George Weathers, Richard Wilbourne, George W. Young.

Company E was recruited in Independence County. The commissioned officers of the company when it was mustered in on July 21, 1846, were as follows: Charles H. Pelham, captain; Pleasant Turner, first lieutenant. John Campbell, enrolled as a sergeant, was elected second lieutenant, but did not present himself for muster and on August 29, 1846, J. McD. Bateman was elected to the vacancy.

Non-commissioned officers—Urban E. Fost, F. H. Driller, James A. Roy, Alexander Adams, sergeants; David K. Tutt, Elijah James, George W. Pool, Franklin A. Martin, James Robinson, James Perry, James C. McLain, George W. Campbell, corporals; George W. Davis, F. F. Watson, George F. Watson, buglers; G. S. Irons, farrier.

Privates—Knighten Barr, Harvey A. Bennett, Ambrose Bradley, J. C. Brown, D. H. Campbell, Simeon Cockran, James Connor, William Coughran, James Cox, Edward Curry, Isaac Curry, George W. Davis (reduced to ranks from corporal at his own request, January 1, 1847), William W. Eubank, Maryland Gee, Jabes Gist, J. C. Goode, Benjamin Graves, Henry Grooms, George W. Haley, Isaac Hinds, Morgan Holderby, A. Howard, J. W. Irons, Stephen Jenkins, W. B. Kinchelow, L. D. King, Thomas Lacefield, Benjamin J. Lack, Jehoida J. Langston, Levi Loyd, Thomas Lloyd, Thomas McKnight, John Magill, J. G. Malcomb, Franklin A. Martin, James Moore, Benjamin W. Parnell, James Perry, William Perry, Jonathan Petty, Everett Piland, George W. Pool, James M. Reeves, Andrew Robinson, David Robinson, James Robinson, Robert Sanders, William F. Scott, E. C. Sullivan, T. L. Sullivan, Bowman Turney, Isaac Turney, David K. Tutt (returned to ranks from corporal), Moses Tuttle, Samuel Walker,

Uzza Walker, Allen Ware, Benjamin Watson, Jesse Wickersham, John Williams, William Wyatt, W. A. Yates, John Young.

The battalion served along the western border of Arkansas, watching the Indians just across the border, but was not actively engaged in any fighting. The companies were mustered out in February and April, 1847, and the men returned to peaceful pursuits.

CAPTAIN ENYART'S COMPANY

Washington County contributed a company of mounted volunteers, which was mustered into the United States service at Fort Smith, Arkansas, June 15, 1847, for the term of "during the war with Mexico." The commissioned officers of the company were: Stephen B. Enyart, captain; James P. Neel, first lieutenant; Elijah O'Brien and Joseph F. Rieff, second lieutenants.

Non-commissioned officers—Albert L. Berry, James Skelton, George M. Cline, George S. Tramell, sergeants; Arthur L. Sanders, Andrew J. Hudson, Solomon F. Kimbrell, Joseph P. McPherson, Wilson D. Hart, corporals; William Ledford and John Thomas, buglers; Henry Snider, farrier.

Privates—Errin Adams, Jesse G. Armstong, David Anderson, James B. Ballard, Harvey M. Bates, William Bates, Charles G. Baylor, James Berry, Jesse L. Blakemore, Samuel Borland, David Bowen, William Bowen, James R. Brewer, William B. Brodie, Hiram Cain, Wilson Chapman, George Clark, Jesse Cox, Nathan Cox, Moses W. Crawford, Moses Crittenden, Maxfield C. B. Davis, Nicholas B. Davis, William Denny, John P. Dunham, Curtis Fawbush, Thomas Ferguson, John Fisher, James W. Fletcher, Isaac Gann, George Gardner, James M. Givins, Jacob Grubbs, David G. Hains, Ephraim Hamilton, James Hamilton, Henry E. Hammock, William Harrell, Brazilla F. Harris, William Harris, Wilson D. Hart, William M. Hays, James Helfy, James Henry, John Hodges, Berry Hudson, James C. Hughes, James S. Hukill, William A. Hulse, Benjamin F. Irby, John A. Johnson, Joshua Keelin, Edward Lynch, Philip McAlroy, Peter Merrill, Abraham Morris, David B. Oldham, Jessy K. Oldham, James Parks, William J. Pettigrew, Thomas J. Philips, John Pollock, Daniel J. Putnam, Americus Reiff, John H. Reiff, Cyrus L. Reynolds, Andrew J. Riddick, William H. Rowton, Elijah Sanders, William Schmidt, Asa Sizemore, John Skelton, Thomas Standifer, William S. Standifer, James Taylor, John Tice, David Tunnell, Nicholas M. Tunnell, William Wells, Wilbur Westmoreland, James H. Wilcox, Nathan B. Wilcox, John Williams, William I. Williams, James Young.

Immediately after being mustered in, the company started for Mexico, where it served with various commands until June 23, 1848, when it was mustered out at Camargo and returned to Arkansas.

CAPTAIN MEARS' COMPANY

The members of Colonel Yell's regiment were mustered into the United States service for the term of twelve months. In the latter part of May, 1847, a number of the men were discharged to reënlist "for the war" in a company commanded by Capt. Gaston Mears, adjutant of the regiment. The company was mustered into the service of the United States at Buena Vista, Mexico, June

30, 1847, with Gaston Mears, captain; Benjamin F. Ross, first lieutenant; Allen L. McAfee and Daniel T. W. Morrison, second lieutenants.

The non-commissioned officers were: Thomas Campbell, Louis A. Turowski, James Murray, Howard Vandergriff and J. B. Matheny, sergeants; Elias Bender, William Duty, William E. Parker and John H. Odom, corporals; Edward Hines, William Dean and Victor Gilbreath, buglers; Isham Hodges and John Hogue, farriers.

Privates George W. Adin, Henry Alexander, Egbert Ashe, David Atkins, Barnard Baggs, Daniel Baker, Benjamin Bennett, Adam Black, Thomas Bramble, Clark Brinker, Jeremiah Brower, Robert Burke, Joseph Burleson, Francis Burrows, James M. Catron, William H. Cherry, Peter Coyle, Nelson R. Crane, Henry Crumb, John Danker, Thomas H. Davidson, Henry Dawson, Alonzo Decker, John DeFratt, George DeWitt, Dominick Diggnan, Moses Dunlap, R. N. Eagle, Ephraim Franklin, Francis Franklin, Alvin F. Foster, Henry Frymire, John Gentry, Leonard M. Gillett, Thomas Gooch, Jason Graves, John W. Griffin, James A. Haywood, Robert Herrold, R. T. Hindman, Thomas Hitchcock, Samuel Hogg, Charles Hunter, Isaac H. Johnson, John Jordan, Patrick Kelly, Frederick Kemper, Noble Kirkman, Francis Kirtley, John Lacy, Isaac Lannon, John M. Laycock, Greenup Leeper, William Lockhart, Ralph I. Loomas, Edgar M. Low, Barkley H. Lowry, Hiram McFall, Robert McFarland, John McGillicuddy, Josiah B. Marshall, James Martin, John Mathews, Gilford H. Melton, John H. Mimms, John Minturn, James Mohan, Lewis Moore, Thomas Morris, James Nettleton, Benjamin F. Nicholson, Alexander Nucent, Micajah Parker, Harrison Patton, Charles Peterman, William Phumsey, Reece Price, Eli Ramsey, John S. Riley, Willis Russell, Ferdinand Sarasin, William Self, John Shriver, George Smeathers, Ephraim Spencer, Robert M. Stewart, John M. Story, Charles Szymanski, Harrison Tennison, William H. Towers, George Upperman, James H. Vandergriff, John Vice, Frederick Weaver, Zira Weems, John M. White, Francis Willett.

The company remained in service in Mexico until the close of the war, but was not engaged in any actual battles. It was mustered out at Camargo, Mexico, June 24, 1848.

CAPTAIN WOODS' COMPANY

This company was originally organized in 1846, with J. H. H. Felch, captain; Charles Russell, first lieutenant; Thomas Conway, second lieutenant. Its only service under this organization was through a detail of twenty men ordered by Gen. Mathew Arbuckle to the Indian Territory to protect some Cherokee families during the Ross-Ridge troubles. It was then reorganized, mustered into the United States service as Company C, Twelfth United States Infantry, commanded by Col. M. L. Bonham. The commissioned officers of the reorganized company were: Allen Woods, captain; J. H. H. Felch and John Simkins, first lieutenants; Thomas J. Conway and Lloyd McGruder, second lieutenants.

Non-commissioned officers—T. D. Crouch, George W. Young, William Rafeld and Quinton Hedspeth, sergeants; E. H. Birchfield, John L. Tubbs, William L. Todd and Thomas Oats, corporals; S. Church, M. D. Johnson and James M. Hedspeth, musicians.

Privates—Lawrence Allen, Willard Ayers, William Barnhart, Samuel Bennett, Isaac Bledsoe, James S. Brawley, R. J. Campbell, John W. Cooper, W. D. Culbertson, Preston Dobson, John B. Edmondson, James Elwood, Thomas Finnegan, Michael Gallagher, P. R. Gibson, Charles B. Gray, George Hall, W. O. Hedspeth, H. Henderson, R. M. LaForce, John McMurr, William McMurtry, O. Mathurin, William J. Morgan, Andrew Paden, John Pyron, William Redin, J. J. Rogers, W. Rominus, Robert Sanders, Levitt Sever, Eli Short, Albert Statam, Benjamin Statam, George Statam, Jacob Stemler, James B. Stephens, James Sutherland, John A. Tichnall, John W. Warner, William Warwick, John A. Willis.

A few days after being mustered in, the company was ordered to join its regiment, which formed part of the division commanded by Gen. Franklin Pierce. From Fort Smith it went by boat to New Orleans, then by ship to Vera Cruz. It took an active part in the campaign from Vera Cruz to the City of Mexico, Pierce's division leading the fighting at Contreras and Cherubusco. On December 18, 1850, the Arkansas Legislature tendered a vote of thanks to Captain Woods and the members of his company "for their distinguished services in the war with Mexico."

TREATY OF GUADALUPE HIDALGO

When James K. Polk was inaugurated President on March 4, 1845, it soon became the dream of his administration to acquire California, though the means by which this dream was to be realized were uncertain. The territory might be acquired by conquest; it might be obtained by filling it with emigrants from the United States, who would bring it into the Union as Texas had been annexed; or it might be possible to win the good will and allegiance of the inhabitants, who were already chafing under Mexican rule. Early in 1846 John C. Fremont led an expedition into the Sacramento Valley and introduced a fourth plan for the acquisition of the country. He established an independent government, known as the "Bear Flag Republic," under the control of the American settlers on the valley. When Congress declared war against Mexico on May 13, 1846, the "Bear Flag" was replaced by the Stars and Stripes.

In the summer of 1846 Col. Stephen W. Kearny captured the Town of Santa Fe. New Mexico was thus acquired almost without loss of life. By the close of the year practically all of the territory desired by the administration was occupied by the United States military forces, though Mexico still remained unconquered. In the spring of 1847 the President sent Nicholas P. Trist to Gen. Winfield Scott's headquarters for the purpose of entering into negotiations with the Mexican Government for the restoration of peace. Trist was a Virginian, spoke Spanish fluently, had served as private secretary to President Jackson and as consul at Havana. At the time of his appointment as peace commissioner he was chief clerk in the department of state. He carried with him a treaty which had been prepared by the cabinet, though his secret instructions authorized him to make certain changes if it became necessary. One thing, however, he was to insist on, and that was the cession of New Mexico and California, for which he was authorized to pay Mexico $25,000,000, unless he could obtain the cession on better terms.

On August 24, 1847, an armistice was agreed and the Mexican Government appointed four commissioners to meet Mr. Trist. The Mexican commissioners refused to entertain Trist's propositions and asked time to formulate other terms. McMaster says: "While these things were happening in Mexico, Polk, disgusted at the failure of Scott's victories to 'conquer a peace' decided to exact yet harsher terms from Mexico as the price of a treaty."

Polk wrote a letter to Trist recalling him. In this letter he said: "Mexico must now sue for peace, and when she does we will hear her propositions." But Trist refused to be recalled. He wrote to the President, reminding him that General Scott had taken the City of Mexico, and that 'the opportunity presented must be seized at once, or all hope of a treaty will be gone." General Butler was appointed to supersede Scott and instructed to notify the Mexican authorities that Trist was no longer recognized by the President as commissioner. Nevertheless, Trist continued his negoiations and on February 2, 1848, succeeded in concluding the Treaty of Guadalupe Hidalgo (a small place on the outskirts of the City of Mexico), which embodied all the features desired by the President. The territory now comprising the states of Arizona, California, New Mexico, Nevada and Utah, the western part of Colorado and the southwestern part of Wyoming, was ceded to the United States for $15,000,000. The United States also agreed to assume the payment of claims held by her citizens against Mexico, provided the total amount of such claims did not exceed $3,250,000.

The treaty was forwarded to Washington, where the sentiment was divided as to its acceptance. Polk wanted to reject it, not because the terms were unsatisfactory, but because Trist had refused to accept his recall. The President was supported by James Buchanan, secretary of state, and Robert J. Walker, secretary of the treasury. Nathan Clifford, attorney-general; William L. Marcy, secretary of war; John Y. Mason, secretary of the navy, and Cave Johnson, postmaster-general, all argued that if the treaty was rejected it might be impossible to secure another as favorable to the United States. This majority finally ruled. The treaty was sent to the Senate, where it was promptly ratified.

The Mexican Government, knowing of the dissensions at Washington, delayed the ratification of the treaty. Polk appointed Nathan Clifford and Senator Ambrose H. Sevier, of Arkansas, commissioners to consult with Mexican commissioners and secure the ratification of the treaty. Clifford and Sevier met the Mexican commissioners at Queretaro and succeeded in accomplishing their mission. By this treaty more than half a million square miles were added to the territory of the United States. In the acquisition of this territory, Arkansas played a conspicuous part, as shown by the muster rolls of military organizations furnished by the state. Each call for volunteers was answered by more than the quota assigned. The men who went from Arkansas bore the hardships of difficult campaigns with the fortitude of veterans, in a manner to win honorable mention from their commanding officers and the admiration of their friends at home.

CHAPTER XXXVII

THE CIVIL WAR—1861-1865

CAUSES OF THE WAR—THE SLAVERY QUESTION—THE MISSOURI COMPROMISE—KANSAS-NEBRASKA BILL—POLITICAL CAMPAIGN OF 1860—STAR OF THE WEST—FALL OF FORT SUMTER—LINCOLN'S CALL FOR VOLUNTEERS—HOW ARKANSAS RESPONDED—STATE TROOPS—ARKANSAS CONFEDERATE REGIMENTS—INFANTRY—INFANTRY BATTALIONS—CAVALRY—CAVALRY BATTALIONS—ARTILLERY—TRANS-MISSISSIPPI DEPARTMENT—FEDERAL TROOPS—ARKANSAS BATTLES—THE YEAR 1863—CAPTURE OF LITTLE ROCK—EXECUTION OF DAVID O. DODD—EVENTS OF 1864—PRICE'S RAID—GENERAL OFFICERS—WORK OF THE WOMEN.

One of the greatest wars in modern history was the war between the Northern and Southern States (1861-65), commonly known as the War of the Rebellion. In this conflict the South fought to establish the right of secession and the North to preserve the Union of States. Almost from the very beginning of the American Republic, the slavery question became a dominant issue in American politics. Slavery was introduced in America in 1619, when a few negroes were sold by a Dutch trader to the planters of the Jamestown colony. The custom of owning negro slaves gradually spread to the other colonies. In the states where tobacco and cotton were the principal crops, slave labor was found to be profitable, but by 1819 seven of the original thirteen states had made provisions for the emancipation of the slaves within their borders.

The first clause of Section 9, Article I, of the Federal Constitution provides that "The migration or importation of such persons as any of the states now existing shall think proper to admit shall not be prohibited by the Congress prior to the year 1808."

The adoption of this clause was regarded as a victory for the slaveholding element, as under it Congress had no power to interfere with the foreign slave trade until 1808. But in that year an act was passed prohibiting any further traffic in or importation of negro slaves. In 1819 slavery existed in six of the original states, the other seven having provided for the manumission of slaves, as already stated. In the meantime Kentucky, Tennessee, Louisiana, Alabama and Mississippi had been admitted into the Union with constitutions permitting slavery, and Vermont, Ohio, Indiana and Illinois had been admitted as free states, so that the country was evenly divided—eleven free and eleven slave states.

The issue between the friends and opponents of slavery was now narrowed to the admission of an equal number of free and slave states. Maine was admitted as a free state in 1820 and the advocates of slavery sought to have Missouri admitted as a slave state, in order to maintain the equilibrium in the United States Senate. After a long and somewhat acrimonious debate, that state was admitted

under the act known as the "Missouri Compromise," which provided for the admission of Missouri without any restrictions as to slavery, but expressly stipulated that in all the remaining portion of the Louisiana Purchase north of the line of 36° 30′ slavery should be forever prohibited.

During the next twenty-five years the slavery question remained comparatively quiet, owing to the admission of free and slave states in equal number. Arkansas came into the Union in 1836 and Michigan in 1837; the slave state of Florida, admitted in 1845, was offset by the admission of Iowa as a free state in 1846.

At the conclusion of the Mexican war in 1848, the United States came into possession of a large tract of territory in the Southwest, to which the advocates of slavery laid claim. Again the question came before Congress and resulted in the compromise act of 1850, commonly called the "Omnibus Bill." This was one of Henry Clay's famous compromise measures. It provided for the admission of California as a free state; established territorial governments for New Mexico and Utah; included a provision that fugitive slaves should be returned to their owners, and abolished the slave trade in the District of Columbia. Says Lossing:

"The Compromise Act was violently opposed in both sections of the Union, but, of course, on opposite grounds. The extreme pro-slavery men regarded it as a surrender of their most vital claims to the political sentimentality of the North, and they resolved not to submit to it. * * * The opposition in the Northern States was comparatively feeble; but there was a powerful minority in these states who were strenuously opposed to the fugitive slave law, as unworthy of the sanction of a civilized nation. Yet the majority of the northern people acquiesced in the measure because it promised peace and the maintenance of the commercial prosperity which then prevailed."

In January, 1854, Stephen A. Douglas, then senator from Illinois, introduced a bill for the erection of the territories of Kansas and Nebraska, giving to the inhabitants the privilege of deciding for themselves whether or not slavery should exist within their domain. As Kansas and Nebraska were formed from territory acquired by the Louisiana Purchase, and as both are situated north of the line of 36° 30′, this proposed nullification of the Missouri Compromise aroused a fierce opposition among the members of Congress from the free states. After a bitter discussion in both House and Senate, the bill became a law in May, 1854, and added fresh fuel to the already raging flames. Its passage was one of the grounds for the organization of the Republican party, which opposed the extension of slavery into any new territory of the United States.

While the Kansas-Nebraska Bill was pending in Congress, the Spanish authorities in Cuba seized the American steamship Black Warrior and confiscated her cargo, claiming that she had violated the neutrality laws. This started an agitation for the purchase of Cuba by the United States. By direction of President Pierce, Messrs. Buchanan, Mason and Soule, the United States ministers to England, France and Spain, respectively, met at Ostend, Belgium, in October, 1854, and formulated what was known as the "Ostend Manifesto," in which they recommended the purchase of Cuba, if possible; if not, then it should be acquired by force. Opponents of slavery looked upon this manifesto merely as a method of acquiring more slave territory and nothing came of it.

In the political campaign of 1860 the issues were clearly defined and some of the leaders in the slave states declared their intention to withdraw from the Union in the event of Abraham Lincoln's election to the Presidency. The people of the North regarded these declarations as so many idle threats, made for political effect only. Through a division in the democratic party, Mr. Lincoln was elected and on December 20, 1860, South Carolina carried her threat into effect, a state convention passing an ordinance of secession. Mississippi followed with a similar ordinance on January 9, 1861; Florida, January 10th; Alabama, January 11th; Georgia, January 19th; Louisiana, January 26th; and Texas, February 1st. All these states except Texas sent delegates to a convention at Montgomery, Alabama, February 4, 1861, when a provisional constitution of the Confederate States of America was adopted. Jefferson Davis was elected provisional President and Alexander H. Stephens Vice President. They were inaugurated on February 22, 1861, the anniversary of the birth of George Washington. Consequently, when Mr. Lincoln was inaugurated on March 4, 1861, he found seven states in open rebellion, with an organized government in opposition to his administration. Notwithstanding these conditions, the President, his advisers and the people of the North generally, clung to the hope that a reconciliation could be effected and that the citizens of the seceded states could be induced to return to their allegiance. Vain hope!

STAR OF THE WEST

Relations between the North and South were still further strained early in the year 1861, when Maj. Robert Anderson, then in command of the harbor defenses at Charleston, South Carolina, secretly removed his garrison and supplies from Fort Moultrie to Fort Sumter, because the latter could be better defended in case of assault. The southern people claimed that this move was a direct violation of an agreement with President Buchanan and the feeling was intensified when it was discovered that Anderson, prior to the change, had spiked all the guns in Fort Moultrie.

On the other hand, the northern press was practically unanimous in upholding Anderson's actions and in demanding that additional men and supplies be sent to him at Fort Sumter. The persistent hammering of the northern newspapers finally caused the war department to dispatch the steamer Star of the West with 250 men and a stock of ammunition, provisions, etc., to Fort Sumter. On January 9, 1861, while passing Morris Island, the vessel was fired upon by a masked battery and forced to turn back. In the official records this incident is regarded as the beginning of the war, though the popular awakening of the North did not come until some three months later.

FALL OF FORT SUMTER

Before Lincoln was inaugurated a considerable Confederate force had been mobilized at Charleston, under command of General Beauregard, who made a demand upon Major Anderson for the evacuation of Fort Sumter. Anderson refused, but on April 11, 1861, seeing his stock of provisions running low and having slight hopes of obtaining a new supply, he informed Beauregard that he

would vacate the fort on the 15th, "unless ordered to remain and the needed supplies are received." This reply was not satisfactory to the Confederate commander, who feared that the new administration would find some way of sending reinforcements and supplies to Anderson, which would enable him to hold the fort indefinitely. In that case Fort Sumter would be a constant menace to one of the southern strongholds. After a conference with his officers, Beauregard decided to reduce the fort. Accordingly, at 3:20 A. M., April 12, 1861, he sent word to Anderson that fire would be opened upon the fort within an hour. At 4:30 Capt. George Janes fired the signal gun from Fort Johnson, the shell bursting almost directly over the fort. A few seconds later a solid shot from a battery on Cummings' Point went crashing against Sumter's walls. The Civil war had begun.

Anderson's men responded gallantly to the fire and the bombardments continued throughout the day. Late in the afternoon fire broke out in one of the casemates of the fort. The Confederates increased their fire, hoping to force an immediate surrender. That was on Friday. Anderson held out against the overwhelming odds until Sunday, the 14th, when he was permitted to evacuate the fort with the honors of war, even to saluting his flag with fifty guns before hauling it down. On Monday, the 15th, President Lincoln issued his proclamation calling for 75,000 volunteers "to suppress combinations too powerful to be suppressed by the ordinary course of judicial proceedings, and to cause the laws to be fully executed."

HOW ARKANSAS RESPONDED

Immediately after the proclamation calling for volunteers was issued by the President, the war department apportioned the troops among the various states and notified the governors of the number each state would be expected to furnish. The requisition made upon Arkansas was for 780 men. To this Governor Rector replied as follows:

"Little Rock, Ark., April 22, 1861.

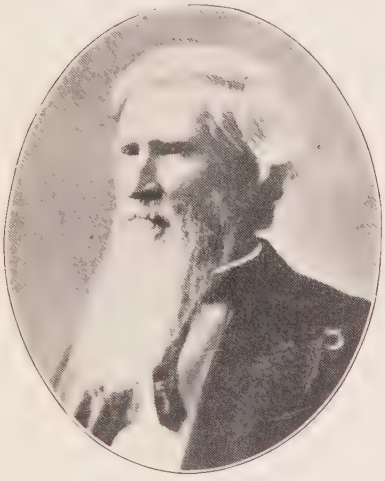
"Hon. Simon Cameron,
Secretary of War,
Washington City, D. C.

"In answer to your requisition for troops from Arkansas, to subjugate the Southern States, I have to say, that none will be furnished. The demand is only adding insult to injury.

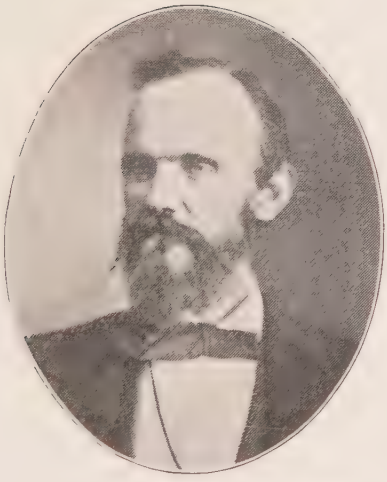
"The people of this commonwealth are freemen, not slaves, and will defend to the last extremity their honor, lives and property, against northern mendacity and usurpation.

"HENRY M. RECTOR,
"Governor of Arkansas."

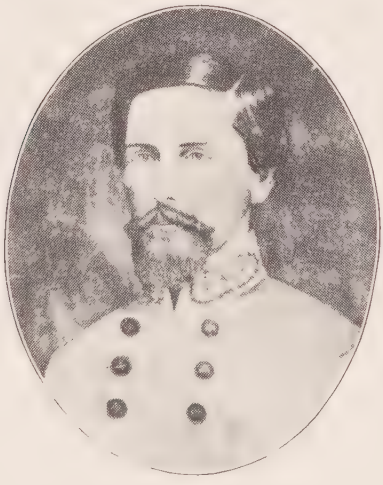
Just two weeks after Governor Rector sent this communication to the Secretary of War, the Arkansas state convention passed the secession ordinance and the preparation for war was commenced. The same convention that passed the ordinance of secession elected Augustus H. Garland, Robert W. Johnson, Albert Rust, Hugh F. Thomason and W. W. Watkins delegates to the Provisional Congress of the Confederate States, and they were admitted to seats on May 18,



GOV. HENRY M. RECTOR
1860-1862



COL. ROBERT C. NEWTON
Confederate soldier



MAJOR-GENERAL PATRICK R. CLEBURNE
Confederate soldier, killed in the battle of Franklin, Tenn.

1861. A military board to arm and equip troops was created. It was composed of Governor Henry M. Rector, Christopher C. Danley, of Little Rock, and Benjamin C. Totten, of Prairie County. Mr. Danley soon afterward was succeeded by Samuel W. Williams, and when the latter entered the army he was succeeded by L. D. Hill, of Perry County. This board issued a call for 10,000 volunteers, and in a little while companies began to report from all parts of the state.

STATE TROOPS

The first volunteers enlisted were "for the defense of the state." N. B. Pearce, formerly an officer in the United States army, and James Yell were appointed brigadier-generals by the state convention to organize the men into regiments and brigades. The First Regiment of state troops was commanded by Col. Patrick R. Cleburne; the Second by Col. James McIntosh; the Third by Col. John R. Gratiot; the Fourth by Col. J. D. Walker; the Fifth by Col. Thomas P. Dockery. There were also a "Southwest Arkansas Regiment," commanded by Col. Evander McNair, and a cavalry regiment (the Third) commanded by Col. DeRosey Carroll. These troops rendezvoused at Pocahontas, Randolph County. Gratiot's and Walker's regiments were disbanded after the battle of Oak Hill.

Early in September, 1861, Gen. W. J. Hardee came to Arkansas as the representative of the Confederate Government, to arrange for the transfer of all Arkansas troops to the Confederate service. Every man was permitted to decide the question for himself, and those who objected to being transferred were mustered out of service. This resulted in the disbanding of Dockery's and Carroll's regiments, many of the men enlisting in other commands.

ARKANSAS CONFEDERATE REGIMENTS

In the effort to prepare a list of the military organizations furnished by Arkansas to the Confederate States army, many serious difficulties have been encountered. Before a call for troops was issued by the military board, President Jefferson Davis had commissioned James B. Johnson, Thompson B. Flournoy and Thomas C. Hindman to raise regiments in the state for the Confederate service. Many of the original muster rolls have disappeared, as well as the records of the military board, and the muster rolls in existence are not always complete. As the regiments were formed there was a rivalry to get early numbers. This rivalry resulted in duplicate numbers. There were a First Regiment of state troops, a First Arkansas Confederate Infantry, a First Arkansas Mounted Riflemen, a First Arkansas Cavalry, etc.

Three Arkansas infantry regiments were designated the Fifteenth—one commanded by Col. Patrick R. Cleburne, one commanded by Col. James Gee, of Camden, and one commanded by Col. Dandridge McRae, of Scarcy. As regiments became decimated by losses in battle, expiration of enlistments, etc., the remnants were often consolidated—sometimes as a new regiment, sometimes retaining the number of one of the old organizations. All this has resulted in confusion.

In 1876 "A Roster of General Officers, Military Organizations, etc., in the

Confederate Service," was published by the Southern Historical Society of Richmond, Virginia, but it has been found to be inaccurate in a number of cases. A list of Confederate commanders, from the rank of major upward, with the regiment to which each belonged, has been published by the United States War Department. Some years ago Col. Virgil Y. Cook, of Batesville, prepared a list of Arkansas regiments from the archives of the War Department. This list was published in Volume I of the Arkansas Historical Publications. From these sources the writer has compiled the following record of the various Arkansas military organizations in the Civil war.

INFANTRY

First Regiment—This regiment, the first recruited directly for the Confederate army, was mustered in with James F. Fagan, colonel; James C. Monroe, lieutenant-colonel; John B. Thompson, major. After the battle of Shiloh, Colonel Fagan was promoted to brigadier-general and Maj. John W. Colquitt became colonel. The regiment participated in the battles of Farmington, Mississippi; Shiloh, Tennessee; Perryville, Kentucky, and Murfreesboro, Tennessee, after which came Chickamauga and the Atlanta campaign, in which it was engaged in all the principal actions. Its last battle was that of Bentonville, North Carolina, March 19, 1865.

Second Regiment—The Second Infantry was raised by Thomas C. Hindman, J. W. Bocage and J. W. Scaife under the authority conferred by President Davis, and was mustered in with the following officers: Thomas C. Hindman, colonel; J. W. Bocage, lieutenant-colonel; J. W. Scaife, major. Colonel Hindman was commissioned brigadier-general on September 28, 1861, after which the regiment was reorganized with Daniel C. Govan as colonel. The Second took part in several of the battles in Kentucky, Murfreesboro, Chickamauga, Missionary Ridge, most of the engagements of the Atlanta campaign, Franklin and Nashville, Tennessee, and was then with General Johnston when his army surrendered to General Sherman in April, 1865.

Third Regiment—The officers of the Third when it was mustered into the Confederate service in June, 1861, were: Albert Rust, colonel; Seth M. Barton, lieutenant-colonel; Van H. Manning, major. Colonel Rust and Lieutenant-Colonel Barton were both promoted to brigadier-general and Major Manning became colonel. The Third was one of the strongest that went from Arkansas, numbering over eleven hundred men when mustered in. It served with General Lee's army in Virginia and when surrendered at Appomattox numbered only 300.

Fourth Regiment—McNair's Southwest Arkansas Regiment was reorganized as the Fourth Confederate and was mustered in on August 17, 1861, with Evander McNair, colonel; Henry G. Bunn, lieutenant-colonel; James H. May, major. The regiment was in the battles of Richmond, Kentucky; Murfreesboro, Tennessee; Chickamauga, most of the engagements of the Atlanta campaign, Franklin and Nashville, Tennessee, and was then with General Johnston until the close of the war. Colonel McNair was made a brigadier-general in November, 1862, and the regiment was then commanded by Col. Henry G. Bunn, afterward chief justice of the Arkansas Supreme Court.

Fifth Regiment—Most of this regiment was raised in St. Francis and adjoin-

FLAG OF THIRD ARKANSAS INFANTRY
(CONFEDERATE)
Made by women of Fredericksburg, Virginia, December, 1862

ing counties. It was mustered in with David C. Cross, colonel; Benjamin F. Sweeney, lieutenant-colonel; Riddick Pope, major. It first served in Kentucky and Mississippi, and after the evacuation of Corinth it was reorganized with Lucian Featherston as colonel. It was with General Bragg in the invasion of Kentucky, at the battle of Chickamauga, and in most of the battles of the Atlanta campaign. It was with General Johnston when he surrendered to General Sherman on April 26, 1865.

Sixth Regiment—The officers of this regiment when mustered in were: Richard Lyon, colonel; Alexander T. Hawthorne, lieutenant-colonel; Dawson L. Kilgore, major. Its first service was in Missouri; then moved to Bowling Green, Kentucky, where it was placed in Hindman's brigade. It fought at Forts Henry and Donelson, Shiloh, covered the retreat to Corinth and was then reorganized. It was with Bragg's army in the invasion of Kentucky, at Chickamauga, Missionary Ridge, Franklin, Tennessee, and was then with General Johnston until the end of the war.

Seventh Regiment—When mustered in, Robert G. Shaver was colonel of this regiment; William R. Cain, lieutenant-colonel; James T. Martin, major. The service of this regiment, up to the evacuation of Corinth, was practically the same as that of the Sixth. After the battle of Peach Tree Creek, July 20, 1864, the regiment showed only a remnant of the 1,250 men with which it started out. Colonel Shaver was transferred to the Trans-Mississippi Department in 1862 and D. A. Gillespie became colonel. Just before the close of the war the Second, Fifth, Sixth, Seventh and Eighth regiments had become so depleted that they were consolidated into one, with Peter Snyder as colonel.

Eighth Regiment—The Eighth Infantry was organized at Jacksonport in the summer of 1861 and was mustered in with William K. Patterson, colonel; Henry M. Couch, lieutenant-colonel; John A. Price, major. It was one of the regiments of Cleburne's division and took part in all the battles in which that division was engaged. At Corinth in 1862, it was reorganized, with John H. Kelly as colonel. It was surrendered with General Johnston's army on April 26, 1865.

Ninth Regiment—In this regiment there were forty-two preachers, from which it became known as "the Parsons' Regiment." It was mustered in at Pine Bluff on July 20, 1861, with John M. Bradley, colonel; W. Y. McCammon, lieutenant-colonel; William J. Wallace, major. It served in Kentucky until the spring of 1862; was then at Shiloh and Corinth; took part in the Atlanta campaign; was then at Franklin and Nashville, and after March 25, 1864, was a part of Reynolds' brigade.

Tenth Regiment—The field and staff officers of this regiment when mustered in were: T. D. Merrick, colonel; Luther R. Venable, lieutenant-colonel; Obed Patty, major. It served in Missouri and Kentucky until the spring of 1862, when it was assigned to Hardee's corps and went to Corinth. It was engaged in the second day's fighting at Shiloh and after that battle the regiment was reorganized, with A. R. Witt as colonel. The regiment was then in Mississippi until after the fall of Vicksburg, where the men were made prisoners and confined at Johnson's Island in Lake Erie. After being exchanged the regiment was reorganized and took part in General Price's Missouri raid.

Eleventh Regiment—In July, 1861, this regiment was mustered in at Camp

Hardee, near Benton, Saline County, with Jabez M. Smith, colonel; Mark S. Miller, lieutenant-colonel; James T. Poe, major. Its first service was at Memphis, Fort Pillow, Island No. 10 and New Madrid. The regiment was captured at Tiptonville, and after being exchanged was reorganized with John L. Logan as colonel. The reorganized regiment then served in Mississippi and Louisiana until the close of the war.

Twelfth Regiment—E. W. Gantt was commissioned by the Confederate authorities to raise this regiment, and was the first colonel. W. D. S. Cook was made lieutenant-colonel, and J. T. Reid, major. At the capitulation of Fort Donelson the regiment was captured. After the exchange it was reorganized, with J. T. Reid, Jr., colonel; E. C. Gordon, lieutenant-colonel; John S. Walker, major. The reorganized regiment served in Mississippi the greater portion of the time until the close of the war.

Thirteenth Regiment—The first officers of this regiment were as follows: James C. Tappan, colonel; A. D. Grayson, lieutenant-colonel; James A. McNeely, major. Colonel Tappan was promoted to brigadier-general on November 5, 1862, and James A. McNeely became colonel. The Thirteenth was engaged at Belmont, Missouri; Shiloh, Perryville, Kentucky; Murfreesboro, Chickamauga, and in fact all the battles in which General Cleburne's division participated.

Fourteenth Regiment—This organization, sometimes called Mitchell's regiment, was organized at Yellville in the summer of 1861. It was mustered in with M. C. Mitchell, colonel; Pleasant Fowler, lieutenant-colonel; J. H. Messick, major. It took part in the battle of Pea Ridge and was then ordered to join Gen. Albert Sidney Johnston at Corinth, Mississippi. It arrived at Shiloh too late to take part in the battle. It was then reorganized, with Frank P. Powers, colonel; Eli Dodson, lieutenant-colonel; E. H. Messick, major.

Fifteenth Regiment—As previously stated, there were three regiments bearing this number. The one recognized by the Confederate authorities was organized at Mound City, Tennessee, May 14, 1861, with Patrick R. Cleburne, colonel; Archibald K. Patton, lieutenant-colonel; James T. Harris, major. The regiment served in Kentucky; was at the battles of Murfreesboro and Chickamauga; then in most of the engagements of the Atlanta campaign, and was surrendered with Johnston's army on April 26, 1865. Cleburne was made a brigadier-general on March 6, 1862, and was promoted to major-general on December 20, 1862, when the regiment was consolidated with the Thirteenth, with Lucius E. Polk, colonel.

The second Fifteenth was organized in 1861, with James Gee, colonel; John C. Wright, lieutenant-colonel; P. L. Lee, major. The regiment was captured at Fort Donelson and was reorganized after the exchange. It was then engaged in Mississippi and Louisiana the greater part of the time until the close of the war.

The third Fifteenth (McRae's), afterward known as Hobbs', was first officered by Dandridge McRae, colonel; James H. Hobbs, lieutenant-colonel; William Thompson, major.

Sixteenth Regiment—This was a Benton County regiment. It was mustered in with John F. Hill, colonel; William T. Neal, lieutenant-colonel; Samuel Farmer, major. It served in Arkansas and Missouri until after the battle of Pea Ridge, when it was ordered to Mississippi. While at Corinth the regiment

was reorganized in May, 1862, with David Provence, colonel; Benjamin T. Pixlee, lieutenant-colonel; James M. Pittman, major. It took part in the siege of Port Hudson, where it was captured on July 9, 1863, which destroyed the individuality of the regiment, though many of the men joined other commands and served until the close of the war.

Seventeenth Regiment—Early in the war a regiment known as "Rector's First Arkansas Volunteers" was organized for twelve months' service. It was reorganized as the Seventeenth Infantry, with Frank Rector, colonel; John Griffith, lieutenant-colonel; Benjamin P. Jett, major. It was ordered to Mississippi and was reorganized at Tupelo, with John Griffith, colonel; Josephus Dotson, lieutenant-colonel; Walter H. Matheson, major. It was captured at Port Hudson and met a similar fate to that of the Sixteenth.

Eighteenth Regiment—When mustered in at DeVall's Bluff, the officers of this regiment were: D. W. Carroll, colonel; John N. Daly, lieutenant-colonel; Robert H. Crockett, major. Colonel Carroll was compelled to resign on account of his health; Lieutenant-Colonel Daly was killed at the battle of Iuka Springs, September 16, 1862, and W. N. Parish, captain of Company H, was made lieutenant-colonel. Major Crockett was at the same time made colonel. The regiment was captured at Port Hudson and after being exchanged served with Gen. Kirby Smith in Texas until the close of the war.

Nineteenth Regiment—There were two infantry regiments bearing this number. The first was organized at Nashville, Arkansas, in November, 1861, with C. L. Dawson, colonel; P. R. Smith, lieutenant-colonel; Joseph Anderson, major. At the capture of Arkansas Post in January, 1863, about half the regiment (all that were engaged) was captured. After being exchanged the following May, the Nineteenth and Twenty-fourth were consolidated. The consolidated regiment was at Chickamauga, Missionary Ridge, all the battles of the Atlanta campaign, and was finally surrended by General Johnston on April 26, 1865.

The other "Nineteenth" was mustered in at DeVall's Bluff in April, 1862, with H. P. Smead, colonel; William H. Dismukes, lieutenant-colonel; H. G. P. Williams, major. The regiment was captured at Black River Bridge in the Vicksburg campaign and after being exchanged many of the men enlisted in other commands.

Twentieth Regiment—This regiment, formerly known as "King's," was organized by George W. King, and was at first called the Twenty-second. It was mustered in with Henry P. Johnson, colonel; James H. Fletcher, lieutenant-colonel; Daniel W. Jones, major. Colonel Johnson was killed in action, Lieutenant-Colonel Fletcher resigned, Major Jones was then promoted to colonel and commanded the regiment until it was captured at Vicksburg. After the men were exchanged, the regiment was reorganized and served in the Trans-Mississippi Department.

Twenty-first Regiment—In August, 1861, Samuel W. Williams resigned his place as a member of the military board and with George W. Lemoyne raised nine companies which were mustered in as "Lemoyne's Seventeenth." About the same time Col. John S. McCarver's "Fourteenth" was mustered in. At the battle of Corinth in October, 1862, Lemoyne's regiment lost heavily and was reorganized with only six companies. These were merged with four companies of McCarver's regiment to form the Twenty-first, which was officered as fol-

lows: Jordan E. Cravens, colonel; William G. Matheny, lieutenant-colonel; Harrison Moore, major. The regiment then took part in the military operations about Vicksburg, where it was surrendered and lost its identity.

Twenty-second Regiment—(see Twentieth).

Twenty-third Regiment—As at first organized, the Twenty-third was officered by Charles W. Adams, colonel; Simon P. Hughes, lieutenant-colonel; James F. Robinson, major. At Tupelo, Mississippi, the regiment was united with Powers' Fourteenth and Crockett's Eighteenth to form a new Twenty-third, of which Oliver P. Lyle was colonel. It then served in Mississippi until captured at the siege of Port Hudson. After the men were exchanged it was reorganized as mounted regiment.

Twenty-fourth Regiment—The officers of this regiment when it was mustered in were: E. E. Portlock, Jr., colonel; T. M. Whittington, lieutenant-colonel; William R. Hardy, major. In May, 1863, it was consolidated with the Nineteenth. (See Nineteenth.)

Twenty-fifth Regiment—Charles J. Turnbull was colonel of the Twenty-fifth; Thomas S. Simington, lieutenant-colonel; James T. Franklin, major. This was one of the fighting regiments. It was at Shiloh; on the Murfreesboro campaign; heavily engaged at Chickamauga; took part in all the principal actions of the Atlanta campaign, was engaged at Bentonville, North Carolina, March 19, 1865, and was surrendered with Johnston's army on April 26, 1865. The infantry regiments after the Twenty-fifth served in the Trans-Mississippi Department.

INFANTRY BATTALIONS

In addition to the regiments above enumerated and those that served in the Trans-Mississippi Department, there were a number of battalions that rendered efficient service. These organizations, as given in Virgil Y. Cook's list, with such facts as could be ascertained from other sources, were as follows:

Adams' Battalion, commanded by Maj. Charles W. Adams, was organized soon after the beginning of the war and was afterward included in the Twenty-third Regiment, of which Major Adams was made colonel.

Bridges' Battalion of Sharpshooters was organized and commanded by Maj. Henry W. Bridges until it was merged into the First Sharpshooters (Stirman's), commanded by Col. Ras. Stirman.

Bronaugh's Battalion—also called the Second—was commanded by Maj. William N. Bronaugh until it was made a part of the Third Infantry.

Crawford's Battalion, commanded by Lieut.-Col. William A. Crawford, became a part of the First Infantry, and Crawford afterward became colonel of the First Cavalry.

Desha's Battalion, commanded by Maj. F. W. Desha, was merged into the Eighth Infantry on May 7, 1862. This was also known as the Seventh Battalion.

Jones' Battalion—also designated as the First—was commanded by Bart Jones as lieutenant-colonel, with John Miller as major. It was consolidated with the Eighteenth and Twenty-third regiments after the siege of Port Hudson.

McCray's Battalion was organized by Maj. Thomas H. McCray and afterward was merged into the Thirty-first Infantry, of which Major McCray was commissioned colonel. In 1863 he was promoted to brigadier-general.

McGehee's Battalion was recruited by James McGehee and was intended for a regiment. Before the organization was completed Mr. McGehee was elected colonel and Jesse S. Grider, lieutenant-colonel. Nothing definite can be learned concerning this battalion, and it was probably merged into other organizations.

McRae's Battalion—also called the Third—was raised by Maj. Dandridge McRae and was afterward recruited to a full regiment, known as the Fifteenth Infantry, Northwest Division of Arkansas, Trans-Mississippi Department. The regiment was commanded by Col. Dandridge McRae until he was promoted to brigadier-general, when Lieut.-Col. James H. Hobbs was promoted to the colonelcy. William Thompson was major of the regiment.

Mason's Battalion—sometimes called the Ninth—was commanded by Lieut.-Col. Samuel J. Mason, with John H. Kelly as major, until it was merged into the Eighth Infantry on May 7, 1862. Major Kelly afterward became colonel of the Eighth.

Rapley's Battalion—designated also as the Thirteenth—was organized by Maj. William F. Rapley. The men were picked marksmen, and the battalion was known as "Rapley's Sharpshooters."

Scott's Battalion, raised and commanded by Lieut.-Col. R. Scott, served in the Trans-Mississippi Department. It was also known as the Tenth Battalion.

Terry's Battalion—The Fourth—was officered as follows: Francis A. Terry, lieutenant-colonel; Jesse A. Ross and James McKay, majors. It was ordered to Kentucky as soon as five companies were organized, and after the fall of Island No. 10 was sent to Corinth, where it was reorganized. About the close of 1862 it was consolidated with the Thirty-first Infantry.

Turnbull's Battalion—sometimes referred to as the Forty-first—was raised and commanded by Lieut.-Col. Charles J. Turnbull. It formed the nucleus upon which was organized the Twenty-fifth Infantry, with Turnbull as colonel.

Williamson's Battalion was organized in the spring of 1861, with J. L. Williamson as lieutenant-colonel and George P. M. Williamson as major. In July, 1861, three companies were taken to form the Third Cavalry, and the remainder continued as a battalion commanded by Lieut.-Col. D. F. Armstrong.

CAVALRY

With regard to the history of the Arkansas cavalry organizations, the same difficulties exist as in the case of the infantry. There were three regiments designated the First Cavalry—one commanded by Colonels Fagan and Monroe, one by William A. Crawford and one by Charles A. Carroll. There was also a regiment of state cavalry called the First, commanded by De Rosey Carroll. This regiment was disbanded when the state troops were transferred to the Confederate service. Still another regiment, known as the First Mounted Rifles, is sometimes referred to by writers as the First Cavalry.

First Regiment—The First Cavalry, as given in Virgil Y. Cook's list, was the regiment commanded by William A. Crawford as colonel, with Dawson L. Kilgore, lieutenant-colonel; John W. Walker, major. No record of the service of this regiment can be found. As the name of William A. Crawford later appears as lieutenant-colonel of the First Infantry and that of Dawson L. Kilgore

as major of the Sixth Infantry, it is probable that the regiment was disbanded soon after its organization. Cook also mentions a cavalry regiment "called on the rolls First and Second," which was officered as follows: Charles A. Carroll, colonel; J. A. Johnson, lieutenant-colonel; Lee L. Thompson, major.

First Mounted Rifles—The field and staff officers of this regiment were: Thomas J. Churchill, colonel; Charles H. Matlock, lieutenant-colonel; Robert W. Harper, major. Colonel Churchill was promoted to the rank of brigadier-general on March 6, 1862. Lieutenant-Colonel Matlock was then a prisoner on Johnson's Island, and Major Harper became colonel. He was killed at Chickamauga, and Daniel H. Reynolds succeeded to the colonelcy. He was promoted to brigadier-general on March 12, 1864, and Lee M. Ramsaur became colonel. The regiment was first actively engaged at Oak Hill, August 10, 1861. After the battle of Pea Ridge it was sent to Kentucky, where it took part in the battle of Richmond and some minor engagements. It was then at Murfreesboro, Chickamauga, practically all the battles of the Atlanta campaign, and was finally surrendered with General Johnston's army on April 26, 1865.

Second Regiment—The Second Cavalry was organized in the spring of 1862, with William F. Slemons, colonel; H. R. Withers, lieutenant-colonel; T. J. Reid, major. It first served under General Beauregard in Mississippi; was next in Tennessee with General Forrest, and in February, 1864, was transferred to the Trans-Mississippi Department. In September, 1864, it joined General Price on his raid into Missouri. At the battle of Marais des Cygnes, Colonel Slemons and about one hundred men, with two pieces of artillery, were captured. The men were paroled, but the officers were taken to Johnson's Island, where they were held prisoners until the end of the war.

Second Mounted Rifles—This regiment was organized in the summer of 1861, with James McIntosh, colonel; Benjamin T. Embry, lieutenant-colonel; Henry K. Brown, major. Colonel McIntosh was killed at the battle of Pea Ridge, and Lieutenant-Colonel Embry succeeded to the command. The regiment was then ordered to Mississippi and at Corinth was reorganized, with Harris Flanagin as colonel; James A. Williamson, lieutenant-colonel; James P. Eagle, major. When Colonel Flanagin was elected governor in 1862, Williamson became colonel and James T. Smith, lieutenant-colonel. Williamson was severely wounded at Resaca, May 14, 1864, and received his discharge. Lieutenant-Colonel Smith was killed on July 28, 1864, and Major Eagle commanded the regiment until it was surrendered by General Johnston on April 26, 1865.

Third Regiment—The beginning of this organization was a battalion of 300 men organized by Solon Borland, who was commissioned major. Three companies of Williamson's Battalion were added, and on January 15, 1862, the organization was ordered called the Third Arkansas Cavalry, with Solon Borland, colonel; Benjamin F. Danley, lieutenant-colonel; David F. Shall, major. Its first service was in Southern Missouri and Arkansas. Then it was ordered to Corinth, Mississippi, where it was dismounted and remained so until December, 1862. It was then remounted and served with Gen. Nathan B. Forrest until the close of the war.

Fifth Regiment—No record has been found of a Fourth Cavalry. The Fifth was mustered in, with Robert C. Newton, colonel; John P. Bull, lieutenant-colonel; John Smith, major. This regiment was at Shiloh and Corinth in 1862.

It was then transferred to the Trans-Mississippi Department, where it served until the end of the war.

Seventh Regiment—In none of the rosters mentioned in the early part of this chapter is there any mention of a Sixth Cavalry. There was a Sixth Cavalry Battalion, commanded by Maj. David G. White, but it does not appear that it was ever raised to the strength of a regiment. The Seventh Cavalry was mustered in, with John F. Hill, colonel; Oliver Basham, lieutenant-colonel; J. C. Ward, major. The regiment served west of the Mississippi. Lieutenant-Colonel Basham was killed at Pilot Knob, Missouri, while in command of the regiment.

Three cavalry regiments did not bear a number. They were called Carlton's, Baber's and Morgan's, after their commanders. Morgan's regiment was organized to succeed Colonel Newton's Fifth, with Thomas J. Morgan, colonel; John P. Bull, lieutenant-colonel; William N. Portis, major. Carlton's regiment was officered by Charles H. Carlton, colonel; R. H. Thompson, lieutenant-colonel; S. J. Peoples, major. Baber's regiment was organized in Lawrence County in the summer of 1864, with M. D. Baber, colonel; J. M. Clark, lieutenant-colonel; George R. Jones, adjutant. It served in the Trans-Mississippi Department and took part in Price's raid through Missouri, which was its only active service.

CAVALRY BATTALIONS

There were a score or more of cavalry commands known as battalions. A few of these served east of the Mississippi River, but most of them were organized for the Trans-Mississippi Department. The most important of these organizations were:

Barnett's Battalion was commanded by Maj. W. D. Barnett, but the writer has been unable to learn when it was organized or where it served.

Brooks' Battalion was recruited and commanded by Maj. William H. Brooks soon after the beginning of the war. Later it was merged with Stirman's Battalion, commanded by Lieut.-Col. Ras. Stirman.

Buckner's Battalion was composed of Arkansas and Louisiana men and was commanded by Maj. G. W. Buckner.

Buster's Battalion, commanded by M. W. Buster, was organized for service in the Indian Territory.

Chrisman's Battalion was commanded by Maj. Francis M. Chrisman, and Cypert's Battalion, commanded by Maj. J. N. Cypert, were Trans-Mississippi organizations and were not actively engaged.

Dobbins' Battalion—also called the First Cavalry—was commanded by Lieut.-Col. Archibald S. Dobbins, with Samuel Carley as major. Dobbins was subsequently promoted to colonel.

Ford's Battalion was commanded by Barney Ford, who held the rank of lieutenant-colonel, and O. E. Wolf was major.

Gunter's Battalion was officered by Thomas M. Gunter, lieutenant-colonel, and James Woolsey, major. It was also known as "Gunter's Regiment."

Harrell's Battalion, commanded by Lieut.-Col. John M. Harrell, with J. W. Bishop as major, was organized for the Trans-Mississippi Department and did not serve outside of the state.

McMurtrey's Battalion was raised and commanded by Lieut.-Col. E. L. McMurtrey, but nothing more has been learned of its history.

Matlock's Battalion—sometimes called "Matlock's Regiment"—was commanded by Lieut.-Col. Charles H. Matlock. It was dismounted in July, 1862, and thereafter served as infantry.

Phifer's Battalion was organized early in 1861 by Maj. Charles W. Phifer. It was subsequently merged into the Second Cavalry. Prior to that time it served with Generals Hardee and Hindman and was actively engaged at Shiloh. Major Phifer was afterward made a brigadier-general of state troops.

Poe's Battalion was composed of part of the Eleventh Arkansas Infantry, prisoners of war, etc., and served in Arkansas. It was commanded by James T. Poe, who held the rank of major.

Scott's Squadron, composed of four companies, was commanded by Capt. John R. Homer Scott and served in North Arkansas on scout duty, etc.

White's Battalion—also called the Sixth—was commanded by Maj. David G. White and served in the Trans-Mississippi Department.

Witherspoon's Battalion—also designated as the Thirteenth—was commanded by Maj. J. L. Witherspoon.

Wright's Battalion was raised in the southern part of the state and was commanded by Lieut.-Col. John C. Wright, of El Dorado, with James W. Bowie. After a few months of service it was raised to a regiment and Wright was promoted to colonel.

ARTILLERY

In 1860 a battery of light artillery was organized at Little Rock, with William E. Woodruff, Jr., captain; Omer R. Weaver and Louis W. Brown, first lieutenants; James W. Finley, second lieutenant. This battery formed part of Col. Solon Borland's expedition for the capture of Fort Smith. It was actively engaged at the battle of Oak Hill, or Wilson's Creek, Missouri, August 10, 1861, where Lieutenant Weaver and one man were killed and one man was wounded. On September 2, 1861, the battery was mustered out.

During the winter of 1861-62 a battalion of three batteries was organized, of which William E. Woodruff, Jr., was made major. The batteries were commanded by Capt. W. D. Blocher, Capt. John G. Marshall and Capt. Henry C. West. While Woodruff was major the following named light batteries were assigned to his command from time to time: Capt. W. H. Etter's Hempstead County battery; Captains Edgar, Daniels and Pratt's Texas batteries, and Captain Ruffner's Missouri battery. At the battle of Prairie Grove the battalion lost six killed, fourteen wounded, and twelve were reported missing. It served in the Trans-Mississippi Department; was engaged at the battle of Helena; went to Southern Arkansas after the occupation of Little Rock by General Steele, and in the spring of 1864 was engaged at Camden, Poison Spring, Mark's Mill and Jenkins' Ferry.

Maj. F. A. Shoup's artillery battalion was composed of three batteries, commanded by Capt. G. C. Swett, Capt. George T. Hubbard and Capt. John H. Trigg. Swett's battery was originally made up of Mississippians, but recruits from Arkansas were added from time to time until it became practically an

Arkansas organization. The battalion served in the army of Tennessee. Capt. T. J. Humphreys' battery also served in the army of Tennessee. One or more of these batteries were engaged at Shiloh, Murfreesboro, Chickamauga, Missionary Ridge and in numerous minor actions. There were other batteries, but their history cannot be ascertained. Most of them served in the Trans-Mississippi Department.

TRANS-MISSISSIPPI DEPARTMENT

In May, 1862, the Confederate Government created the Trans-Mississippi Department, composed of the states of Arkansas, Louisiana and Texas. Maj.-Gen. E. Kirby Smith was placed in command of the department, with headquarters at Shreveport, Louisiana, and Maj.-Gen. Thomas C. Hindman was placed in command of the forces in the State of Arkansas. Hindman took charge on the last day of May, and on June 2, 1862, Governor Rector issued a proclamation, in which he said: "It being essential that but one military organization shall exist within the Trans-Mississippi Department, all Arkansas troops are hereby transferred to the Confederate service."

The organization of Hindman's army was as follows: Price's Division—Fagan's Brigade, composed of Brooks' (Thirty-fourth), Hawthorne's, Bell's (Thirty-seventh), and King's (Thirty-fifth) regiments and Anderson's Battalion. McRae's Brigade, composed of Glenn's (Twenty-eighth), Gause's (Thirty-second), Morgan's (Twenty-sixth), and Hart's (Thirtieth) regiments and Marshall's Battery. Tappan's Brigade, composed of Shaver's (Thirty-eighth), Shaler's (Twenty-seventh), Dawson's and Grinstead's (Thirty-third) regiments.

Gen. L. M. Walker's Division—Col. Robert C. Newton's and Col. Archibald S. Dobbins' regiments.

Gen. William Steele's Division—Three regiments commanded by Col. J. C. Monroe, Col. Lee L. Thompson and Col. John F. Hill.

In addition to these three divisions there were independent regiments commanded by Cols. M. D. Baber, Charles A. Carroll, W. A. Crawford, T. M. Gunter, C. H. Matlock, George Rutherford, John C. Wright, and Colonels Coleman, Freeman and McGee. Woodruff's Artillery Battalion, Etter's, West's, Mills' and Zimmerman's batteries and several cavalry battalions also served at times in the department.

Shortly after the battle of Prairie Grove on December 7, 1862, General Hindman was transferred to the army of Mississippi and Gen. Theophilus H. Holmes superseded him in command of the army in Arkansas. After Holmes' unsuccessful attempt to take Helena on July 4, 1863, he was relieved of his command and Gen. Sterling Price became commander of the Arkansas district. He remained in command until the close of the war.

FEDERAL TROOPS

When the state convention passed the secession ordinance in May, 1861 (see Chapter XIV), many of the citizens, particularly those in the northern counties,

refused to secede. After that section of the state was occupied by the Federal army commanded by Gen. Samuel R. Curtis in 1862, four regiments of infantry, four of cavalry and a battery of light artillery were organized for service in the northern army. The organization of these regiments was as follows:

First Infantry—James M. Johnson, colonel; Elhanon J. Searle, lieutenant-colonel; Francis M. Johnson, major. The regiment was mustered in at Fayetteville in the early spring of 1863.

Second Infantry—Marshall L. Stephenson, colonel; Gideon M. Waugh, lieutenant-colonel; Charles Brauenlich, major. This regiment was organized at Fort Smith, but was not mustered in until February, 1864.

Third Infantry—This regiment was never completed. On July 20, 1862, the one battalion organized was mustered in at Helena for six months' service, with Lieut.-Col. John C. Bundy in command.

Fourth Infantry (mounted)—Elisha Baxter, afterward governor of Arkansas, was the colonel of this regiment, but the names of the other field and staff officers could not be learned.

First Cavalry—M. L. Harrison, colonel; Thomas J. Hunt, lieutenant-colonel; R. H. Wimpey, Frank Strong, Hugo C. C. Botefuhr, majors at different times. Albert W. Bishop succeeded Hunt as lieutenant-colonel. The regiment was mustered in at Springfield, Missouri, October 5, 1862, for three years.

Second Cavalry—John E. Phelps, colonel; Hugh Cameron, lieutenant-colonel; Jeremiah Hackett, major. The organization of this regiment was commenced in July, 1862, but it was not completed until the following year. Many of the members were from Pilot Knob and Springfield, Missouri.

Third Cavalry—Abraham H. Ryan, colonel; Irving W. Fuller, lieutenant-colonel; David Hamilton, major. This regiment was organized at Little Rock after that city was occupied by General Steele. It was mustered into the Union service in February, 1864.

Fourth Cavalry—Lafayette Gregg, colonel; Horace L. Moore, lieutenant-colonel; Horace S. Green, major. Major Green was succeeded by M. H. White. Companies composing this regiment came from Yell, Jefferson, Pulaski, Garland and Phillips counties.

First Light Battery—Denton D. Stark, captain; Henry H. Easter, first lieutenant; William Mayes, second lieutenant. This battery was organized at Springfield, Missouri, in August, 1863, and was mustered in for three years.

The above organizations were composed of white men. There were also four regiments of colored troops raised in the state. These regiments were not numbered by states, but were regarded as national troops. The first regiment raised in Arkansas consisted of only five companies. It was known as the Eleventh Colored and was commanded by Lieut.-Col. James M. Steele.

Forty-sixth Colored—Eliphalet Whittlesey, colonel; William Lyon, lieutenant-colonel; George A. Barnes, major.

Fifty-fourth Colored—John E. Cone, colonel; Charles Fair, lieutenant-colonel; George W. Burchard, major.

Fifty-seventh Colored—Thomas D. Seawell, colonel; Silas Hunter, lieutenant-colonel. Arkansas also furnished a number of men for the One Hundred and Thirteenth Colored Regiment.

FIRST HOUSE ERECTED ON SITE OF THE BATTLE
OF PRAIRIE GROVE

ELK HORN TAVERN, PEA RIDGE BATTLE FIELD, ROGERS

ARKANSAS BATTLES

Following is a list of the engagements fought in Arkansas, including the battle of Oak Hill (called Wilson's Creek by the Federals). Although this battle was fought in Missouri, it was the first in which Arkansas troops were engaged, the first in which Arkansas men were killed, and one which exercised an influence upon subsequent military operations in Arkansas and Missouri.

Oak Hill—On August 10, 1861, some six thousand Confederates, commanded by Gen. Benjamin McCulloch, were encamped on Wilson's Creek, near Springfield, Missouri, when they were attacked by a Federal force estimated at from eight to ten thousand, commanded by Gen. Nathaniel Lyon. The Arkansas troops included the regiments commanded by Colonels Churchill, Carroll, Dockery and McIntosh, and Woodruff's Battery, the whole commanded by Brig.-Gen. N. B. Pearce.

It was Lyon's intention to surprise the Confederate camp, but the approach of the Federals was discovered by Capt. Lee M. Ramsaur, of Churchill's regiment, in time to give the alarm. Before the Confederates were fairly in battle formation they were thrown into some confusion, but General Lyon failed to press his advantage, giving them time to rally. The battle began about seven o'clock in the morning and lasted until one o'clock in the afternoon, when the Federals retired from the field. In this action the Arkansans lost 91 killed, 317 wounded and 4 missing, supposed to have been captured. The Federal loss was heavy, General Lyon being among the killed.

Pea Ridge—This was the first battle in the State of Arkansas. On March 6, 1862, the Confederates under Generals Price and McCulloch attacked Gen. Franz Sigel at Bentonville and forced him to fall back to the main body of Federals commanded by Gen. Samuel R. Curtis on Pea Ridge. Pea Ridge is a plateau about ten miles long by five miles wide in the northern part of Benton County. Curtis' force numbered 20,000 men and the Confederates, commanded by Gen. Earl Van Dorn, numbered 15,000. Notwithstanding the odds against him, Van Dorn attacked the Federal position on the 7th and, after an engagement which lasted for several hours, forced Curtis to give way. During the night Curtis moved to a stronger position, and on the 8th Van Dorn retreated southward instead of holding the field and awaiting a Federal attack. Some skirmishing occurred between his rear guard and the Federals. The Confederate loss at Pea Ridge was 185 killed, 525 wounded and 300 missing. Curtis' loss was reported as 402 killed, 800 wounded and 300 captured. Generals McIntosh and McCulloch were killed in this battle, which was without permanent advantage to either side.

Skirmishes—After the battle of Pea Ridge, General Curtis moved in a southeasterly direction. On his march he was harrassed at various points by small detachments of Confederates, not strong enough to give him battle. Among the skirmishes of this character were those at Salem and Spring River, March 8th; Talbott's Ferry, April 19th; Searcy, May 19th; Smithville, June 17th; St. Charles, June 17th.

At St. Charles, Curtis won a victory which decided him to move toward Little Rock. Early in May, Van Dorn moved his army to the east side of the Mississippi River, leaving Arkansas without sufficient forces for her defense.

This led to the organization of the Trans-Mississippi Department, and Gen. T. C. Hindman at once began collecting an army to resist Curtis' advance. He met Curtis at the Cache River, a few miles west of Cotton Plant, on July 7, 1862, and after a sharp engagement forced him to turn back. Curtis then took possession of Helena, where he established communication with the gunboats on the Mississippi.

During the summer and fall of 1862 there was considerable skirmishing between detachments of the two armies in Eastern Arkansas. The most important of these were: Aberdeen, July 9th; Batesville, July 14th; Jonesboro, August 3d; Clarendon, August 13th: LaGrange, October 11th; Helena, October 11th; Marianna, November 7th.

In Northwest Arkansas—On July 14, 1862, Fayetteville was occupied by a small force of Federal cavalry without resistance. Several citizens were arrested, some of whom were paroled and others taken to Springfield, Missouri, where they were released. Later in the year a post was established there, with Colonel Harrison, of the First Arkansas (Federal) Cavalry, in command. A large Federal force, commanded by Gen. James G. Blunt and Gen. Francis J. Herron, occupied Northwest Arkansas. On October 28th Gen. W. L. Cabell made an unsuccessful attempt to drive Harrison out of Fayetteville. The same day General Hindman, who had taken position at Cane Hill, was attacked by General Blunt and forced to retire.

Prairie Grove—General Herron took position at Prairie Grove, ten miles southwest of Fayetteville, where he was attacked by General Hindman on December 7, 1862. General Fagan's brigade of four regiments repelled several charges in an attempt to turn the Confederate right. The battle began a little before noon and raged furiously until about an hour before sunset, when Herron was reinforced by Blunt, bringing the Federal strength up to 16,000 men. Charles W. Walker, in describing the battle, says: "During the night of the 7th both armies were retreating. The Federals began moving their trains to Fayetteville early in the night. The Confederates began their retreat about midnight. The victory of the Confederates, though complete, was fruitless, barren of good results to the South." * * *

According to General Hindman's report, "our loss in killed was 164, wounded 817, missing 336; Federal loss 400 dead on the field, 1,500 wounded, number of prisoners in our hands 275, including 9 officers."

Blunt and Herron reported a loss of 175 killed, 813 wounded and 263 missing. The Confederates also captured 500 stand of small arms, 23 wagons laden with supplies, and 5 flags. Hindman explained his retreat on the grounds that his "supply of ammunition was reduced far below what would be necessary for another day's fighting, and that my battery animals were literally dying of starvation."

THE YEAR 1863

Hindman's withdrawal from Northwest Arkansas left that section of the state a prey to "Bushwhackers" and "Jayhawkers," who plundered the people, neither side being able or willing to give them protection. On the last day of December, 1862, Gen. J. S. Marmaduke led an expedition from Morrillton

OLD COURT HOUSE, WASHINGTON, HEMPSTEAD COUNTY, WHERE LEGISLATURE SAT, SEPTEMBER, 1864

OLD BAPTIST CHURCH, WASHINGTON, HEMPSTEAD COUNTY, USED AS HOSPITAL BY CONFEDERATES DURING THE CIVIL WAR

northward into Missouri. This movement was attended by skirmishes at Boston Mountain, January 3, 1863, and at several points in Missouri. He reached Batesville about the middle of January and was engaged in skirmishes at Lick Creek, January 12th, and at Huntsville a day or two later.

Arkansas Post—At the opening of the year Arkansas Post was defended by a force of 3,000 Confederates commanded by Gen. T. J. Churchill. On the morning of January 8th, his pickets reported a fleet of gunboats and transports coming up the Arkansas River. The next day some twenty thousand Federal troops, commanded by Gen. John A. McClernand, were landed, and preparations were commenced for attacking the post. Churchill placed the works in condition to receive an assault, which came in the afternoon, but was repulsed. Late in the day the gunboats, commanded by Admiral David D. Porter, opened fire and succeeded in inflicting some damage upon the defenses. About noon on the 10th a general assault was made, but the Federals were again repulsed with heavy loss. On the 11th General Churchill surrendered the post. He was taken a prisoner to Camp Chase, Ohio, where he was held for three months. When exchanged, he was assigned to the Trans-Mississippi Department. Minor officers and privates were paroled. It has been stated that the white flag was displayed through a mistake of one of the Texas regiments, but this is not well authenticated.

After the capture of Arkansas Post there was some skirmishing in the eastern part of the state. Napoleon was burned on January 17th, concerning which General Sherman is reported to have said: "We all deserve to be killed unless we can produce a discipline wherein such disgraceful acts cannot go unpunished." On January 13th to 19th there were skirmishes in the vicinity of St. Charles. Batesville was occupied by the Federals on February 4th, after a short but spirited fight. Hopefield was burned on February 19th, by order of Gen. A. S. Hurlbut, commanding at Memphis, and there was some fighting around Helena until about the middle of May.

Fight at Fayetteville—While these events were taking place in Eastern Arkansas, Gen. W. L. Cabell made an attempt to capture Fayetteville on April 18th. The place was occupied by a small Federal force commanded by Col. M. LaRue Harrison, but it was so well fortified that Cabell was unable to drive out the enemy. Harrison reported his loss as 4 killed, 26 wounded and 16 missing. The Confederate loss was not reported. Harrison evacuated Fayetteville on the 25th, just a week after the fight, but the place was again occupied by the Federals on the 22d of September following.

Battle of Helena—On July 4, 1863, General Holmes attacked Helena with a force of 7,640 men. In the first assault some of the outer works were captured, but the Federals, under command of Gen. Samuel R. Curtis, rallied and recaptured them, reinforced the position and finally drove the Confederates back. The first attack was made early in the morning and the fight lasted until about noon. In this engagement the Confederate loss was 152 killed, 291 wounded and 406 missing.

General Holmes was severely criticized for his effort to take Helena, which was strongly fortified and garrisoned by a force superior in numbers to his own. After his defeat he fell back to Searcy, where he established a temporary camp, and a little later moved to Little Rock. Curtis ordered Gen. Frederick

Steele to move against Little Rock. He marched out of Helena on August 8th and met resistance at a number of places along the route. The principal skirmishes incident to this movement were as follows: West Point, August 14th; Harrison's Landing, August 16th; Grand Prairie, August 17th; Brownsville, August 25th; Reed's Bridge, August 27th; Shallow Ford, August 30th; Ashley's Mills, September 7th.

CAPTURE OF LITTLE ROCK

On September 10, 1863, the Confederates made their last stand at Fourche Bayou, about four miles from Little Rock. A line of battle was formed, and when Steele approached a brilliant dash by the Confederates checked the Federal advance and captured four pieces of artillery. About nine miles below the city, Steele had ordered Gen. J. W. Davidson to cross the river and attack the works in the rear with his cavalry division, while the main body of the army moved up the north bank. While exulting over their temporary victory in the capture of the artillery, the Confederates learned of the attack on the south side of the river. The trenches on Fourche Bayou were abandoned and the troops crossed the river to repel the attack of General Davidson.

When General Steele reached the trenches he found them deserted, and hurried forward to the bank of the river opposite the city. There batteries were planted and a few shots fired, when it was learned that General Price, who had succeeded Holmes in command, had ordered a retreat. The last of the Confederates left the city about 5 P. M. on September 10, 1863, and from that time until 2 A. M. of the 11th Steele's victorious army was moving in. The occupation of Little Rock placed all that part of the state north of the Arkansas River in the hands of the Federals.

EXECUTION OF DAVID O. DODD

While Steele's army lay at Little Rock, David O. Dodd, a youth of seventeen years, spent some time in the city, employed in a sutler's store. Early in December his father appeared in Little Rock and took his family, consisting of his wife, two daughters and David, to Camden. Mr. Dodd left some business matters unsettled, and David returned to Little Rock to look after them. General Fagan, then near Camden, gave the boy a pass. He reached the city in safety and remained there until after Christmas, when he set out to return to Camden. He was captured and taken back to the city, accused of being a spy. Unfortunately, he had in his possession a memorandum book, or diary, which contained entries written in the telegraphic dots and dashes of the Morse code. Some of these entries referred to the strength of the Federal forces, etc., and though no evidence was produced to show that it was the boy's intention to turn the information over to the enemy, he was hanged on January 8, 1864, by order of General Steele.

EVENTS OF 1864

Early in March, 1864, General Steele left Little Rock on what is called in the Federal reports the Camden Expedition. His object was to drive the Con-

DAVID O. DODD
Martyred hero of the Confederate cause, executed as a spy at Little Rock, January 8, 1864

federates out of the state. On April 15th his advance reached Camden, where the Confederate army had wintered. The town was occupied after a slight resistance. Three days later a spirited engagement was fought twelve miles northwest of Camden, between the Confederates under Generals Cabell, Marmaduke and Maxey and Thayer's division. The result was a victory for the Confederates, who captured 220 wagons and 150 prisoners. This action is called by the Confederates the battle of Poison Spring, and by the Federals the battle of Prairie d'Ane.

Marks' Mill—Gen. Powell Clayton, in command at Pine Bluff, started a supply train to General Steele at Camden. At Marks' Mill, about two miles north of the present Town of New Edinburgh, Cleveland County, while the Federals were encamped, they were attacked by General Fagan's division. The escort of the train, consisting of 1,600 infantry and 400 cavalry, were not ready for the attack, and after a short fight surrendered. Three hundred of the cavalry made their escape, but the rest were made prisoners and the entire train of 240 wagons was captured. Steele reported that the attacking force was composed of the forces of Fagan and Shelby and numbered 5,000 men.

Jenkins' Ferry—The loss of this supply train left Steele in the heart of the enemy's country without sufficient ammunition and provisions to carry on an aggressive campaign, and he started on his retreat to Little Rock. At Jenkins' Ferry on the Saline River, about ten miles southwest of the present Town of Sheridan, he was attacked on the morning of April 30th by General Price, who had received reinforcements from Gen. Kirby Smith. By skillful maneuvering, Steele succeeded in getting his army across the Saline River on pontoons, though he had finally to burn his wagons and supplies to prevent them from falling into Price's hands. The fight lasted about four hours and a half, and both sides suffered severe losses. The Confederates did not pursue beyond the Saline, and Steele arrived at Little Rock after a tedious march.

PRICE'S RAID

Early in September, 1864, General Price, with Maj.-Gen. James F. Fagan second in command, broke camp in Southwest Arkansas and started on a raid through the northern part of the state and into Missouri. He met with resistance at various points, the most stubborn being Pilot Knob, Missouri, September 27th. The place was strongly fortified, but after one day's fighting the Federals blew up their ammunition and retreated during the night. It was thought that Price's objective point was St. Louis, but before reaching that city he turned westward. Sharp skirmishing occurred almost daily, with considerable engagements at Independence, Boonville and Westport.

At Marais des Cygnes (marsh of the swans), Kansas, Price found himself confronted by a strong force and suffered a reverse. Over three hundred of his men were captured, including a number of general and field officers. This broke the backbone of the raid, and Price started to retrace his steps. Late in October he reached his former quarters in the southern part of Arkansas. This movement practically ended the war in Arkansas, as the surrender of the

leading Confederate armies under Lee and Johnston occurred before plans for the 1865 campaign could be completed.

GENERAL OFFICERS

Arkansas furnished four major-generals and twenty brigadier-generals to the Confederate armies, besides nine brigadier-generals commissioned by the state authorities. The major-generals, in the order of their appointment, were: Thomas C. Hindman, Patrick R. Cleburne, James F. Fagan and Thomas J. Churchill. A sketch of General Churchill is given in an earlier chapter, in connection with his administration as governor.

Patrick Ronayne Cleburne, one of the greatest of the southern commanders, was born in County Cork, Ireland, March 17, 1828, a son of Dr. Joseph and Mary Ann (Ronayne) Cleburne. He was educated in his native land and in 1849 came to America. The next year he located in Helena, where he was first employed as clerk in a drug store. While thus occupied he studied law and was admitted to practice. Just as he was getting firmly established in his profession the war broke out and the fighting spirit of the Irish came to the surface. He enlisted as a private in a company called the "Yell Rifles" of Helena and was chosen captain. A little later he was made colonel of the First Arkansas State Troops, which regiment was mustered into the Confederate service as the Fifteenth Arkansas Infantry.

Colonel Cleburne's rise was rapid, but he received no promotion that was not deserved. On March 6, 1862, he was made a brigadier-general and his brigade formed a part of Hardee's division in the battle of Shiloh. Through the summer of 1862 he was in numerous engagements and always conducted himself with such signal ability that on December 20, 1862, he was raised to the rank of major-general. For his gallant defense of Ringgold Gap, where he saved Bragg's army from being captured after the disastrous defeat at Missionary Ridge, he received a vote of thanks from the Confederate Congress. Throughout the summer of 1864 his division was one of the mainstays of Johnston's army. After the occupation of Atlanta by the Federals, Cleburne accompanied General Hood back into Tennessee. He was killed at the battle of Franklin, Tennessee, November 30, 1864, while leading his men in a charge upon the breastworks of the enemy. After his death Gen. William J. Hardee said: "Where this division defended, no odds could break its lines; where it attacked, no numbers resisted its onslaught, save only once; and there is the grave of Cleburne and his heroic division."

Some years after the war General Cleburne's remains were brought to Helena by the Women's Memorial Association, there reinterred with military honors, and a monument erected to mark the last resting place of one of Arkansas' most gallant sons.

James F. Fagan was born in the City of Louisville, Kentucky, about 1827. When he was about four years of age his parents removed to Arkansas and located in Johnson County, where he was educated. As a young man he held important places of trust and responsibility and developed into a "man of affairs." When war was declared against Mexico in 1846, he enlisted as a private in the Johnson County company, which afterward became Company C,

HEADQUARTERS OF GENERAL PRICE AT BATTLE OF OAK HILL, ON WILSON'S CREEK, AUGUST 10, 1861, WHERE ARKANSAS TROOPS WERE FIRST ENGAGED

First Arkansas Mounted Volunteers, commanded by Col. Archibald Yell. On February 14, 1847, he was made second lieutenant of the company and was mustered out with that rank at the close of the war. A little later he settled in Saline County, where he became a large landowner and slaveholder.

When the Civil war broke out in 1861 he was one of the first to offer his services to the state. He was mustered into the Confederate service as colonel of the First Arkansas Infantry; was promoted to brigadier-general on October 3, 1862, and to major-general on June 13, 1864. He served the greater part of the war in the Trans-Mississippi Department, distinguished himself at Prairie Grove, and was second in command under Gen. Sterling Price in the raid through Missouri and into Kansas in 1864. The war left him almost penniless and he settled in Little Rock, where he died on September 1, 1893.

Thomas C. Hindman was born in Knox County, Tennessee, January 28, 1828, a son of Thomas C. and Sallie (Holt) Hindman. When the war with Mexico began he was a student at a college in New Jersey. He immediately left school and enlisted as a private in the Second Mississippi. For conspicuous gallantry on the field he was promoted to lieutenant, although only eighteen years of age. At the close of the war he went to Ripley, Mississippi, where his parents then resided, studied law, and in 1854 was admitted to the bar. In July of that year he located at Helena, where he formed a partnership with John C. Palmer.

In 1858 he was elected to Congress and reelected in 1860, but the war broke out and he resigned his seat in Congress to enter the Confederate army. He aided in raising the Second Arkansas Infantry, of which he was made colonel; was promoted to brigadier-general on September 28, 1861, and to major-general on April 18, 1862. In the campaign from Tunnel Hill to Atlanta in 1864, General Hindman rendered efficient service. After the war he resumed the practice of his profession in Helena and again became active in politics. On the evening of September 27, 1868, while sitting in his home, a shot was fired through the window and General Hindman was no more. The assassin was never apprehended and brought to justice for the cowardly murder.

Brigadier-generals—Following is a list of the brigadier-generals commissioned by the Confederate Government, with the date of their appointment, where it could be ascertained: Charles W. Adams, 1862; Frank C. Armstrong, April 23, 1863; W. N. R. Beall, April 17, 1862; Archibald J. Dobbins, 1864; Thomas P. Dockery, August 10, 1863; Edward W. Gantt; Daniel C. Govan, February 6, 1864; Alexander T. Hawthorne, February 22, 1864; John L. Logan; Thomas H. McCray, 1863; Evander McNair, November 4, 1862; Dandridge McRae, November 5, 1862; M. M. Parsons, November 5, 1862; Albert Pike, August 15, 1861; Lucius E. Polk, December 20, 1862; Daniel H. Reynolds, March 12, 1864; John S. Roane, March 20, 1862; Albert Rust, March 6, 1862; James C. Tappan, November 5, 1862; L. Marsh Walker, April 11, 1862.

The following brigadier-generals were appointed by the state authorities, but the loss of the records of the military boards renders it impossible to give the date of their commissions: Seth M. Barton, N. B. Burrow, William L. Cabell, John H. Kelly, James McIntosh, John E. Murray, N. B. Pearce, Charles W. Phifer and James Yell.

WORK OF THE WOMEN

While the men of Arkansas were in the field fighting for an ideal, the women of the state nobly lent their aid in various ways. They would meet in halls, churches and private homes to scrape linen, make bandages and other hospital supplies, often contributing their table linen, bed clothing, cambric curtains, etc., for the purpose. They organized sewing societies for making clothing for the soldiers. Aristocratic fingers, unused to work, were taught by the will to handle the needle, knit socks, card wool, and even use the hand loom in weaving cloth.

The cloth they wove was coarse in texture and the garments they made were not of the latest fashion, but they served to keep their loved ones comfortable. It was no doubt due to the heroic labors and sacrifices of the women that the South was able to hold out as long as it did. On the state capitol grounds in Little Rock stands a monument dedicated "To the Mothers of Arkansas" for the part they took in these labors and sacrifices. Soldiers' monuments have been erected all over the country, but Arkansas is one of the very few states thus to commemorate the unselfish devotion of her daughters in time of trial.

CHAPTER XXXVIII

RECONSTRUCTION IN ARKANSAS

CONDITION OF THE COUNTRY AT THE CLOSE OF THE CIVIL WAR—MR. LINCOLN'S PLAN ANDREW JOHNSON'S PLAN—CONGRESSIONAL RECONSTRUCTION—CONSTITUTIONAL CONVENTION OF 1868—LIST OF DELEGATES—WORK OF THE CONVENTION—THE CONSTITUTION RATIFIED—ARKANSAS READMITTED—MARTIAL LAW—THE HESPER AFFAIR—THE KU-KLUX-KLAN—THE UNION LEAGUE—THE INVISIBLE EMPIRE—THE POLAND COMMITTEE.

The main problem that confronted the United States Government at the close of the war in 1865 was to restore social and industrial conditions in the seceded and border states and to give those states local governments that would protect life and property. In the border states, especially in Kentucky and Missouri, the irregular warfare of guerrilla bands rendered it advisable to maintain a military force for the suppression of those bands until the state governments were strong enough to handle the situation. In the seceded states the problem assumed a different form. There were no recognized state governments, and the country, having been devastated by the war, the question of mere existence—how to provide the necessities of life for the people—as well as how to constitute governments adequate to the social needs, played an important part. Many of the slaves when they were freed left their old homes, thus disorganizing the labor system. To adjust these ex-slaves to a useful place in the southern economy and to reëstablish civil government were the problems to be solved.

PRESIDENT LINCOLN'S PLAN

President Lincoln, in his inaugural address of March 4, 1865, outlined his plan for dealing with the seceded states. He took the view that none of these states had been out of the Union; that only certain combinations of disloyal persons had sought to overthrow the Union, and that the people, many of whom were loyal at heart, had blindly followed their disloyal leaders into secession. It was his theory that the war had been waged, not against the people of the seceded states, but against a spurious government set up by the disloyal combinations aforesaid. While these combinations had usurped authority in several states that might have remained loyal had the decision been left to the people, the states, as such, were incapable of committing treason.

His plan, therefore, was the simplest that could be devised, to wit: Remove from power the disloyal leaders of the subverted governments and encourage the citizens to reorganize loyal state governments. The leaders of the secession movement alone deserved punishment—not the great mass of the people, or the

states. As early as the summer of 1863, Mr. Lincoln became interested in Arkansas and tried to induce William K. Sebastian, one of the United States senators to ask admission to the Senate on a platform of gradual emancipation of slavery. He believed that such an action on the part of Mr. Sebastian might prove to be the entering wedge which would ultimately sunder the Southern Confederacy.

On December 8, 1863, the very day the President issued his amnesty proclamation, Maj.-Gen. A. S. Hurlburt, commanding the Federal troops at Memphis, sent to Mr. Lincoln, by a special messenger, a communication, in which he said: "I am, and have been for some time, thoroughly convinced that Arkansas can, by vote of its people, be brought into the Union without slavery by simply encouraging and sustaining the 'Unconditional Union' men of that state."

That it was Mr. Lincoln's desire and intention to carry out the policy announced in his inaugural address, is seen in the encouragement he gave to the Murphy government in the early part of 1864. On February 6, 1864, he telegraphed to Governor Murphy: "My letter to Major-General Steele about an election was made in ignorance of the action your convention had taken or would take. A subsequent letter directs General Steele to aid you in your plans and not to thwart or hinder you. Show this to him."

The letters referred to in the telegram were dated January 5 and 27, 1864. In the former the President said to General Steele: "I wish to afford the people of Arkansas an opportunity of taking the oath prescribed in the proclamation of December 8, 1863, preparatory to reorganizing a state government there." In the second letter he wrote: "I have addressed a letter to you and put it in the hands of Mr. Gantt and other Arkansas gentlemen, containing a program of an election in that state. This letter will be handed you by some of these gentlemen. Since writing it, I see that a convention in Arkansas, having the same general object, has taken some action, which I am afraid may clash somewhat with my program. I therefore can do no better than to ask you to see Mr. Gantt immediately on his return and with him do what you and he may deem necessary to harmonize the two plans into one, and then put it through with all possible vigor."

Again, on January 29, 1864, the President wrote to General Steele: "I understand that Congress declines to admit to seats the persons sent as senators and representatives from Arkansas. These persons apprehend that, in consequence, you may not support the new state government there as you otherwise would. My wish is that you give that government and the people there the same support that you would if the members had been admitted, because, in no event nor in any view of the case, can this do any harm, while it may be the best you can do toward suppressing the rebellion."

Clayton, in his "Aftermath of the Civil War," says the Murphy government was never recognized by the Federal authorities. In the face of the above correspondence, there can hardly remain any doubt that the President gave every possible encouragement to Governor Murphy, and, had he lived that government would have been officially recognized. Arkansas, in that case, might have been spared the horrors of reconstruction under the Clayton regime. Unfortunately for the South, Mr. Lincoln's life was cut short by the bullet of an assassin and the mantle of executive authority descended to the shoulders of

Andrew Johnson. Southern people, who openly or secretly rejoiced when they heard of Lincoln's death, lived to realize that, in his untimely taking off, they had lost a friend who was both just and generous.

If further evidence is needed to show that the Murphy government was recognized, William Archibald Dunning, professor of history and political philosophy in Columbia University, says in his "Reconstruction, Political and Economic:" "Under the plan of reorganization thus presented, constitutional conventions were held and governments set up, during 1864, in Tennessee, Louisiana and Arkansas. These were duly recognized by the President as the true governments of their respective states."

ANDREW JOHNSON'S PLAN

To quote again from Professor Dunning: "In confronting the problem of restoring civil governments in the South, President Johnson was under no necessity of devising a solution. That already applied by Lincoln in three of the states was ready to the hand of his successor. Accordingly, Johnson took up the work at the precise point where Lincoln had left it. * * * An executive order of President Johnson, dated May 9, 1865, formally recognized Francis H. Pierpont as governor of Virginia; and without formal declarations Governors Brownlow, of Tennessee, Wells, of Louisiana, and Murphy of Arkansas, the official heads of the organizations created under Lincoln's administration and with his aid, were assumed to be the chiefs of legitimate governments and were encouraged to extend their authority throughout the territory included within their respective state limits."

Johnson's policy was developed by the appointment of provisional governors in the states where no movement had been made toward the reëstablishment of loyal state governments. The provisional governors to whom he delegated the supervision of reorganization were chosen because they had been opposed to secession before or during the war. For the most part they were former whigs and represented a political sentiment that had been discredited in their respective states. Consequently, they were only partially successful. The President's proclamation of May 29, 1865, granted amnesty to those who had been arrayed against the Government of the United States, except certain leaders, many of whom were afterward pardoned as individuals. This course, together with Johnson's opposition to giving the freedmen the right of suffrage and democratic approval of his views, precipitated a conflict between him and Congress. The reappearance in the political arena of Confederate leaders, who had been pardoned by the President, had a tendency to concentrate the radical sentiment in Congress against the President's policy of reconstruction, and a new plan was brought forward.

CONGRESSIONAL RECONSTRUCTION

In the first session of the Thirty-ninth Congress, which began on December 4, 1865, the Democrats had only a small delegation in both House and Senate. Led by Thaddeus Stevens, of Pennsylvania, the most uncompromising of the radical wing of the republican party, the majority of the House of Representa-

tives refused admission to the members-elect from the states reconstructed under the Lincoln and Johnson plans. Among those thus rejected were William Byers, J. N. Johnson and G. H. Kyle, who had been elected from the three Arkansas districts in 1864.

A concurrent resolution was then pushed through, by which the Senate adopted the same policy. This resulted in the creation of a joint committee of fifteen "on the condition of the states of the late Confederacy, with instructions to report whether any of them were entitled to be represented in either house of Congress." Thus was inaugurated the policy, based largely upon politics, which kept the South in a state bordering upon anarchy for almost a decade. It was not so much a rejection of the President's plan as it was a determination on the part of certain radical leaders in Congress "to have a finger in the pie." In other words, to assert their legislative prerogative as against the pretensions of the executive.

On December 18, 1865, Secretary of State W. H. Seward issued his proclamation declaring that twenty-seven states (the necessary three-fourths) had ratified the thirteenth amendment to the Federal Constitution, and that slavery in the United States was officially abolished. Pending the formulation and presentation by the joint committee of some definite method of readmitting the states, several of the legislatures in the seceded states enacted laws defining the status and rights of the liberated blacks. The radicals took advantage of these so-called "black codes" to set up a clamor for more stringent measures of reconstruction. The "black brother" must be protected! Treason must be punished! Says Dunning:

"In Congress Wilson, Sumner and other extremists took up the cry and with superfluous ingenuity distorted the spirit and purpose of both the laws and law-makers of the South. The 'black codes' were represented to be the expression of a deliberate purpose by the southerners to nullify the result of the war and to reëstablish slavery. This impression gained a wide prevalence in the North. To a distrustful northern mind such legislation could very easily take the form of a systematic attempt to relegate the freedmen to a subjection only less complete than that from which the war had set them free."

As a plain truth, the legislation was not intended to breathe any defiance toward the North. It was, in the main, an honest effort to restore some sort of order to the states then in a state of social and economic chaos. Many of the emancipated negroes could not distinguish between liberty and license and some restrictions upon their conduct were necessary. To the Congressmen who were seeking an excuse for retarding the readmission of the seceded states, such legislation was a welcome resource. The subject of reconstruction was dropped for the time and attention was turned to such acts as the Civil Rights Bill and the act establishing the Freedmen's Bureau. In much of this turmoil Arkansas was not directly interested, but the state was made to suffer along with her seceded sisters. Time has shown that it would have been much the wiser plan to reorganize the state governments and admit them into the Union on the old footing, and then deal with the race question.

More than a year was now frittered away by Congress in petty quarrels with the President, and in the passage of acts calculated further to impoverish and humiliate the people of the South. Under the act providing for the confiscation

of property belonging to persons who had taken part in the rebellion, proceedings were instituted to confiscate the property of a large number of Arkansans. Among these were Thomas J. Churchill, Augustus H. Garland and William R. Miller, afterward governors of the state; Daniel Ringo and John J. Clendenin, former justices of the Supreme Court; Albert Pike, Gordon N. Peay, Robert C. Newton and many others. Confiscation was cut short by the opinion of the United States attorney-general that property seized by the Federal authorities, under the confiscation act, must be restored to the owners.

Early in the year 1867 the Supreme Court of the United States rendered three highly important decisions, touching acts of Congress relating to the southern states. In the first, known as the Milligan case, the court held that military commissions and other incidents of martial law were unconstitutional, except where it could be shown that the war rendered the operation of civil courts impossible. The second was in the case of Cummings vs. Missouri, in which the court decided that "a state test oath, by which Confederate sympathizers were excluded from various professions, contravened the constitutional prohibition of ex post facto laws." This decision also applied to Arkansas. The third decision was in "ex parte Garland," wherein the Federal test oath, so far as it operated to prevent attorneys from practicing in the United States courts was found to be invalid. In this case Augustus H. Garland's brief in his own behalf was pronounced a masterpiece of legal research and established his reputation as one of the really great lawyers of the country. These decisions, to use a vernacular expression of the present day, "threw a monkey wrench in the machinery of radical reconstruction." Congressional leaders, who had been taught by tradition to respect the dignity of the Supreme Court, indulged in considerable muttering, but made no open attack on the court.

Finally a reconstruction bill was passed. It provided that the seceded states should be divided into five military districts, each under the command of an officer not below the rank of brigadier-general with a sufficient number of troops to enable him to perform his duties and enforce his authority. Section 5 of the act provided: "That when the people of any one of the said rebel states shall have formed a constitution of government in conformity with the Constitution of the United States in all respects, framed by a convention of delegates elected by the male citizens of said state twenty-one years old and upward, of whatever race, color or previous condition, who have been resident in said state for one year previous to the day of election; * * * and when such constitution shall provide that the elective franchise shall be enjoyed by all such persons as have the qualifications herein stated for electors of delegates; * * * and when such constitution shall have been submitted to Congress, and Congress shall have approved the same, said state shall be declared entitled to representation in Congress."

Until a constitution should be adopted in accordance with the above section, any civil government in a seceded state was to be regarded as provisional only, and in all respects subject to the paramount authority of the United States "at any time to abolish, modify, control or supersede the same."

President Johnson promptly vetoed the measure. In his special message to Congress on March 2, 1867, he said: "The bill would seem to show upon its face that the establishment of peace and good order is not its real object. The

fifth section declares that the preceding sections shall cease to operate in any state where certain events have happened. These are: 1. The election of delegates to a state convention, by an election at which negroes shall be allowed to vote. 2. The formation of a state constitution by the convention so chosen. 3. The insertion into the state constitution of a provision which will secure the right of voting at all elections to negroes and such white men as may not be disfranchised for rebellion or felony. 4. The submission of the state constitution for ratification to negroes and white men not disfranchised, and its actual ratification by vote. 5. The submission of the constitution to Congress for examination and actual approval by that body. 6. The adoption of a certain amendment to the Federal Constitution by vote of the Legislature elected under the new constitution. 7. The adoption of said amendment by a sufficient number of other states to make it a part of the Constitution of the United States.

"All of these conditions must be filled before the people of any of these states can be relieved from the bondage of military despotism, but when they are fulfilled, then the pains and penalties of the bill are to cease, no matter whether there be peace or order or not, without reference to the security of life and property. The excuse given for the bill in the preamble is admitted by the bill itself not to be real. The military rule which it establishes is plainly to be used not for any purpose of establishing order, or for the prevention of crime; but solely as a means of coercing the people into the adoption of principles and measures to which it is known they are opposed and upon which they have an undeniable right to exercise their own judgment.

"I submit to Congress whether this measure is not in its whole scope and object without precedent, without authority, in palpable conflict with the plainest provisions of the Constitution, and utterly destructive to those great principles of liberty and humanity for which our ancestors on both sides of the Atlantic shed so much blood and expended so much treasure."

After a lapse of more than a generation, the impartial student of history will admit the force of the President's logic. But Congress was not in the mood to listen to reason. The veto was overridden in the House the same day by a vote of 135 to 47 and in the Senate by a vote of 28 to 10. Supplementary acts were passed over vetoes on March 23 and July 19, 1867, by approximately the same vote. Thus Congressional Reconstruction was inaugurated.

Arkansas and Mississippi were erected into the Fourth Military District, under command of Maj.-Gen. E. O. C. Ord, whose headquarters were established at Vicksburg. Brevet Brig.-Gen. C. H. Smith was placed in command of the subdistrict of Arkansas, but was later superseded by Gen. Alvan C. Gillem. On July 8, 1867, several members of the Arkansas Legislature gathered in Little Rock to attend an adjourned session, but were informed by General Smith that he had orders from General Ord not to permit them to organize for the transaction of business. The leaven of reconstruction was already at work.

CONSTITUTIONAL CONVENTION OF 1868

By the supplementary reconstruction act of March 23, 1867, the commanding officer in each military district was directed to cause a registration of voters, "male citizens twenty-one years of age and upward," and after such registra-

tion was completed to order an election for delegates to a convention for the purpose of framing a constitution and the establishment of a civil government for such state. On September 26, 1867, General Ord issued his "General Orders No. 31," declaring the registration in Arkansas complete and ordering an election "commencing on the first Tuesday in November." The manner in which the election was to be conducted was as follows:

"Immediately upon the receipt of this order each board of registrars will meet, divide the whole number of election precincts of their respective counties into three portions, as nearly equal as possible, and assign one of the shares thus made to each registrar, who will be responsible for the proper conduct of the election therein. Thereupon each registrar will appoint a judge and clerk of election, who, with himself, will constitute the 'commissioners of election,' for all the precincts of his district. Each registrar will provide himself with a ballot-box, with lock and key and of sufficient size to contain the votes of all registered voters in his largest precinct. Each registrar will give full and timely notice throughout his district, of the day of election in each precinct, so that he, with his judge and clerk, can proceed from precinct to precinct of his district and hold an election on consecutive days—when the distance between precincts will permit—with a view to the early completion of the voting.

"The election will be by ballot and will be conducted in all details, not herein prescribed, according to the customs heretofore in use in the respective states. Each ballot will have written or printed upon it: 'For a Convention' or 'Against a Convention,' and in addition the correct name (or names) of the delegate (or delegates) voted for. Each voter, in offering his ballot, must exhibit his certificate of registry, across the face of which the clerk of election will write his name in red ink, to indicate that a vote has been cast upon that certificate; at the same time the registrar will check off the voter's name on the precinct book, serving as the 'poll book.' The polls will be opened at 10 o'clock A. M., at each precinct, and will be kept continuously open until sunset, at which time the polls will be closed, the ballot-box opened, votes counted by the commissioners and a written return thereof, under oath of the commissioners, immediately made to these Headquarters, in duplicate. The votes cast will then be securely inclosed and forwarded by mail to the Assistant Adjutant-General at these Headquarters, with a letter of transmittal, setting forth the number of votes cast for and the number against a convention, which letter will be witnessed by the deputy sheriff present in accordance with the requirements of paragraph V of this order."

The order also apportioned the seventy-five delegates to the various counties of the state. In the debates in Congress on the reconstruction measures, such men as Boutwell, Stevens, Sumner and Wilson laid strong emphasis upon the necessity of adopting a system that would assure free, fair and honest elections in the states to be reconstructed. This was a beautiful theory, but how did it work in practice? Jefferson, Phillips and Pulaski counties, where there was a large negro population, were given four delegates each. In those counties the ratio of representation was approximately one delegate for each 7,500 inhabitants. Arkansas and Ashley counties, with a population of less than 8,000 each, and Prairie County, with a population of 5,000 (the population is given in round numbers), were each allotted two delegates, the ratio being one delegate for

each 3,600 inhabitants. A large proportion of the inhabitants in those counties were negroes. Of the counties where the whites predominated a different story must be told. Benton, with a population of 13,000, Crawford, with 9,000, Johnson, with 9,000, and Sebastian, with 12,000, were each given one delegate. Fulton and Searcy, with a combined population of 10,000, were made a district represented by one delegate.

The registration showed 66,805 persons in Arkansas entitled to vote. At the election 27,576 votes were cast "For a Convention," 13,558 "Against a Convention," and 25,471 did not go to the polls. Observation of the manner in which the registration had been conducted taught them that the election was likely to be a farce and to maintain their self respect they, wisely or unwisely, decided to refrain from taking part.

LIST OF DELEGATES

Following is a list of the members of the convention from the several counties: Arkansas, John H. Hutchinson and John McClure; Ashley, W. D. Moore and George W. Norman; Benton, W. W. Reynolds; Bradley, John M. Bradley; Calhoun, William G. Hollis; Carroll, Joseph Wright; Chicot, James W. Mason; Clark, Solomon Exon and Miles L. Langley; Columbia, Wiliam A. Beasley and George W. McCown; Conway, Anthony Hinkle; Craighead and Mississippi, Frederick R. Poole; Crawford, Thomas M. Bowen; Crittenden, Asa Hodges; Cross and Poinsett, J. A. Houghton; Dallas, Gayle H. Kyle; Desha, Clifford S. Sims; Drew, Samuel J. Matthews and R. G. Puntney; Franklin, Robert Hatfield; Fulton and Searcy, William A. Wyatt; Greene, Hampton T. Allen; Hempstead, Solomon D. Belden, John R. Montgomery and Richard Samuels; Hot Spring, John W. Harrison; Independence, George W. Dale and Peter G. Misner; Izard, W. W. Adams; Jackson, W. H. Pickett; Jefferson, James M. Gray, Samuel W. Mallory, William Murphy and O. P. Snyder; Johnson, John N. Sarber; Lafayette, Monroe Hawkins and Alfred M. Merrick; Lawrence, Bouldin Duval; Little River, George S. Scott; Madison, F. M. Sams; Marion and Newton, Parley A. Williams; Monroe, Amos H. Evans; Montgomery and Perry, John C. Priddy; Ouachita, James P. Portis and Nathan N. Rawlings; Phillips, Joseph Brooks, William H. Grey, Thomas Smith and James T. White; Pike and Polk, Elijah Kelly; Pope, Walter W. Brashear; Prairie, Robert S. Gantt and William F. Hicks; Pulaski, James Hinds, James L. Hodges, Henry Rector and Thomas P. Johnson; Randolph, H. W. Ratcliffe; St. Francis, Daniel Coates; Saline, James H. Shoppach; Scott, Charles H. Oliver; Sebastian, Moses Bell; Sevier, Joseph H. Corbell; Union, R. C. Vanhook and Ira L. Wilson. Van Buren, Jesse Millsaps; Washington, James M. Hoge and Charles W. Walker; White, J. N. Cypert and Thomas Owen; Woodruff, W. H. Gray; Yell, Franklin M. Rounsaville.

Eight of the delegates were negroes, viz.: Mason, of Chicot; Samuels, of Hempstead; Murphy, of Jefferson; Hawkins, of Lafayette; Grey and White, of Phillips, and Johnson and Rector, of Pulaski. Eugene Cypert, in his account of the convention, published in Volume IV of the "Arkansas Historical Publications," says:

"The radicals were largely in the majority. The radical wing of the con-

vention was, in the slang of that day, further divided into three classes, 'carpet baggers,' 'scalawags' and negroes. If, in the course of this article, the terms 'carpet bagger' and 'scalawag' are employed, it is for the purpose of designating the faction to which the person spoken of belonged, and not for the purpose of casting reproach, in any way, on the person to whom the term is applied. The carpet baggers were men who came south about the close of the Civil war and who thought it their duty to join with the other two factions in the South in carrying out the reconstruction acts of Congress. The other faction (scalawags) was composed of southern radicals who saw proper to join with them and the negroes in 'regenerating' the South."

WORK OF THE CONVENTION

The delegates met in the hall of the house of representatives in Little Rock on Tuesday, January 7, 1868, and the convention was organized by the election of Thomas M. Bowen, of Crawford County, president, and John G. Price, of Little Rock, secretary. Five days were spent in the appointment of standing committees and the adoption of rules for the government of the convention. On the 13th Mr. Cypert, one of the members from White County, introduced an ordinance for the adoption of the constitution of 1864, with the provision that the same should be submitted to the people for their ratification.

During the debate—sometimes exceedingly bitter and personal—which followed the introduction of this ordinance, the most interesting feature was the speech of Mr. Cypert, showing that the Murphy government had been recognized by every department of the United States Government.

"In order to establish my position," said Mr. Cypert, "that the present constitution has been recognized by the General Government, 'I shall be obliged to recapitulate some things which have already been said upon this floor. If the state government of Arkansas was not a government de jure, how is it that today the state is apportioned into districts of one of the circuits of the United States Circuit Court? The acts of the Circuit Court of the United States, sitting in Arkansas, are recognized by the highest judicial authority known to our Government. The court is actually held here. Appeals from its decisions go up to the Supreme Court of the United States. The State of Arkansas, then, has been recognized by the highest judicial authority of the United States.

"I assume, and no gentleman here will dare deny, that the Executive of the United States has recognized the existence of a state government de jure here. If then, our state government has been recognized, as of right, by two of the departments of the General Government, surely it ought to be so recognized by us. If a state government has been recognized by the judicial and executive departments of the General Government, I say that Congress has no right to disregard it. And if so recognized, all the proceedings under the present reconstruction acts, which force us into the peculiar attitude in which we find ourselves placed, are outside of the Constitution of the United States, and null and void; and no man here today is bound, if he has sworn to support the Constitution, to violate his oath by carrying out proceedings based on measures thus adopted outside, and in contravention, of that great fundamental law of the Government.

"But it is contended that Congress, by refusing to receive our representatives, has declined to recognize us, and that therefore we have only a provisional government—a government merely de facto. Sir, Congress has denied that we are possessed of a state government, not otherwise than by the refusal to receive our representatives. But I will show you, on the other hand, that they have in more ways recognized us than they have disregarded us as a duly organized state. They have recognized us by apportioning to us our portion of the direct tax, under the Constitution of the United States, which provides that such taxes 'shall be apportioned among the several states, in the ratio of representation.' Had they apportioned the tax to us upon the basis of our representation, they would never have apportioned any, for we have no representation. But by apportioning to us our share of the tax, they have recognized us as a 'state.'

"Then, sir, they have recognized us in another way. They have submitted to us the proposition to amend the Constitution of the United States. The State Legislature, called under this constitution which I propose we shall re-ënact, adopted the amendment so submitted; and that amendment, ratified by such authority, has been accepted by every department of the National Government, as validly adopted. I refer, of course, to the amendment abolishing slavery. The vote of Arkansas was counted in making up the number of states necessary for the ratification of that amendment. * * * If the State of Arkansas and the other states which have been in rebellion, were not states in the Union, at the time when the Thirteenth Amendment to the Constitution of the United States was submitted to them for ratification, then that amendment was not properly ratified, and has never been adopted. * * * Upon the theory of Congress therefore—if that indeed be their theory—that we have no state government, the negroes in the South have not been freed and are not free today. Sir, Congress simply stultifies itself. We contend that the negroes are free, and that they have been made free through the action of the states lately in rebellion. * * * I say, it is the highest power which a state, in its corporate capacity, can exercise, to assist in amending the organic law of this great and glorious Republic. If we have power to exercise the crowning act of state authority, we surely are competent to exercise any and all others."

The arguments advanced by Mr. Cypert would appear to be incontrovertible to any reasonable mind, but they made no impression upon the majority of the delegates. That majority had not assembled in convention to adopt the old constitution, but to frame a new one, which would give the negro the elective franchise and turn over to the radical reconstructionists the control of state affairs. The ordinance was therefore defeated on the 17th, only ten members voting for its adoption. From that time on the reconstructionists carried things with a high hand. The constitution was completed and the convention adjourned on February 11, 1868.

Twenty-two delegates, representing seventeen counties, refused to sign the constitution or to give it their approval in any way. They were: Moore and Norman, of Ashley County; Reynolds, of Benton; Bradley, of Bradley; Wright, of Carroll; Matthews and Puntney, of Drew; Allen, of Greene; Adams, of Izard; Pickett, of Jackson; Duvall, of Lawrence; Kelly, of Pike; Gantt and

Hicks, of Prairie; Rateliffe, of Randolph; Shoppach, of Saline; Corbell, of Sevier; Hoge and Walker, of Washington; Cypert and Owen, of White; and Gray, of Woodruff.

THE CONSTITUTION RATIFIED

The schedule adopted by the convention provided that the constitution should be submitted to the people at an election to be held on March 13, 1868, "and such successive days as hereinafter provided," and that at the same time the electors should vote for state officers, representatives in Congress and members of the General Assembly. Thomas M. Bowen, Joseph Brooks and James L. Hodges were appointed commissioners to conduct the election.

By the act of March 23, 1867, Congress provided that a majority of the registered voters in any state should be necessary for the ratification of the constitution. The failure of so many to vote on the question of holding a convention, and in the election of delegates thereto, created some alarm among the radical leaders in Congress. To obviate the threatened defeat of the entire scheme by stay-at-home voters, a supplementary act was passed on February 28, 1868, providing that "a majority of the votes actually cast," might decide the fate of the constitution. The passage of this act was not generally known in Arkansas until the last of the three days of the election. On April 23, 1868, General Gillem reported that the vote on the Arkansas constitution was 27,913 "for" to 26,597 "against," a majority of only 1,316.

At that time the total number of registered voters in the state was 73,784, hence, it will readily be seen that 19,274 persons entitled to vote failed to go to the polls. Practically all those who refrained from voting were opposed to the new constitution. Had they voted, and had their votes been counted as cast, the constitution would have been defeated by a decisive majority. They realized, however, that the election machinery was in the hands of the radical element, backed up by the military power, and believed it was useless to attempt the defeat of a constitution, the adoption of which had been determined beforehand—by fair means or foul.

It has been stated that the constitution was framed in Washington and sent to a few chosen leaders in Arkansas for adoption by a convention of delegates chosen to do their bidding. Concurrent events indicate that this may have been the case. There was a marked similarity between the constitution of Arkansas and those of some of the other seceded states that would naturally lead one to believe they emanated from the same source. A republican state convention was held at Little Rock on January 15, 1868 (when the convention was only a week old and nearly a month before the constitution was completed). That convention nominated a full state ticket. The constitution of 1868 provided for a lieutenant-governor (the only time in the history of Arkansas that this office existed) and gave the governor power to appoint the chief justice of the Supreme Court. The convention nominated candidates for lieutenant-governor and two associate justices. The question has often been asked: How did the delegates know just what offices would be provided for in the constitution, without advance information?

ARKANSAS READMITTED

On June 8, 1868, a bill was presented to President Andrew Johnson, having passed both houses of Congress, providing for the readmission of Arkansas into the Union of States. The principal feature of the bill was as follows: "That the State of Arkansas is entitled and admitted to representation in Congress, as one of the states of the Union, upon the following fundamental condition: That the constitution of Arkansas shall never be so amended or changed as to deprive any citizen or class of citizens of the right to vote who are entitled to vote by the constitution herein recognized, except as a punishment for such crimes as are now felonies at common law, whereof they shall have been duly convicted, under laws equally applicable to all inhabitants of said state."

The measure was vetoed by the President, who said in his veto message: "If Arkansas is a state not in the Union, this bill does not admit it as a state into the Union. If, on the other hand, Arkansas is a state in the Union, no legislation is necessary to declare it entitled 'to representation in Congress.' * * * The bill declares that the State of Arkansas is entitled and admitted to representation in Congress as one of the states of the Union upon the following fundamental condition:" (He then quotes the section given above.)

"I have been unable to find in the Constitution of the United States any warrant for the exercise of the authority thus claimed by Congress. In assuming the power to impose a 'fundamental condition' upon a state which has been duly 'admitted into the Union upon an equal footing with the original states in all respects whatever,' Congress asserts a right to enter a state as it may a territory, and to regulate the highest prerogative of a free people—the elective franchise.

"Should the people of Arkansas, desiring to regulate the elective franchise so as to make it conform to the constitutions of a large proportion of the states of the North and West, modify the provisions referred to in the 'fundamental condition,' what is to be the consequence? Is it intended that a denial of representation shall follow? And, if so, may we not dread, at some future day, a recurrence of the troubles which have so long agitated the country? Would it not be the part of wisdom to take for our guide the Federal Constitution, rather than resort to measures, which, looking only to the present, may in a few years renew, in an aggravated form, the strife and bitterness caused by legislation which has proved to be so ill-timed and unfortunate?"

Some of the best lawyers in the country pronounced the President's arguments as being in harmony with the provisions of the Federal Constitution. But the reconstruction leaders in Congress cared nothing for the "reasonableness" of Mr. Johnson's position, preferring to act upon the theory once enunciated by a prominent politician: "What's a little thing like the constitution between friends?" On June 22, 1868, the bill was passed over the veto and Arkansas was again recognized as a state—with the "fundamental condition."

MARTIAL LAW

Ten days after the passage of the readmission bill over the President's veto, Powell Clayton was inaugurated governor. (See Chapter XV). War is always

followed by a period of social demoralization, commercial uncertainty and industrial unrest. This was so in the South during the entire decade from 1865 to 1875. Clayton came into the governor's office when the social demoralization and general discontent in Arkansas were at their zenith. Political feuds, growing out of the war, resulted in the occasional killing of some one and the destruction of property. These so-called "outrages" Governor Clayton attributed to the Ku-Klux Klans and he organized a detective force of twelve men to ferret out the perpetrators. In his book, "The Aftermath of the Civil War in Arkansas" (p. 63), he says:

"Having received reports from these detectives and information from many other sources, I determined to make a square issue between the state government and the Ku-Klux insurgents in Arkansas. I issued immediate instructions to the officers of the state militia to proceed with the utmost secrecy and dispatch in the further organization of the State Guards."

The militia of a state is usually considered an honorable organization; why, then, "the utmost secrecy?" Was it because Governor Clayton was ashamed of the character of his "State Guards," many of whom were negroes or guerrillas from Missouri? Where one outrage had been committed prior to the organization of the militia, twenty were committed afterward, and in most of these the "State Guards" were the aggressors. Fleming, in his "Documentary History of Reconstruction," says: "Col. William Monks and sixty men came from Missouri and were enlisted as Arkansas militia. For his work he was thanked by the Legislature. The entire state was for four months ravaged by the governor's militia."

On November 4, 1868, the militia having been organized with "the utmost secrecy," Governor Clayton issued his proclamation declaring martial law in the counties of Ashley, Bradley, Columbia, Craighead, Greene, Lafayette, Little River, Mississippi and Woodruff. Three days later he divided the state into six military districts and appointed a commanding officer in each "for the purpose of perfecting the organization of the militia and carrying into effect the proclamation declaring martial law," etc. Martial law was soon extended to other counties, until the greater part of the state was in the hands of the "State Guards." The four months referred to by Fleming occurred in the fall of 1868 and the following winter. In his message of November 17, 1868, Governor Clayton gave a long list of the "outrages," all of which, according to his statement, were committed by the Ku-Klux. Some of the most flagrant of these outrages are described in the historical sketches of the counties in which they occurred. Notably among them were Monks' raid in Fulton County; "General" Upham's sack of Augusta, Woodruff County; the affair at Murfreesboro, Pike County, and what is known as the "Pope County War."

THE HESPER AFFAIR

After Clayton had his militia organized, he was at some trouble to secure arms and equipments. In his "Aftermath" he says: "As it was impossible during President Johnson's administration to procure arms from the General Government without an act of Congress authorizing that measure, a bill was introduced for that purpose. However, having grave doubts of its passage before the adjournment of Congress, I sent Dr. J. M. Lewis to open negotiations

with some of the governors of the loyal states—Illinois being the first—for the purpose of borrowing arms, under proper security for their return."

Doctor Lewis failed to make satisfactory arrangement with any of the governors and Clayton then waited until the bill before Congress was defeated before trying any other expedient. James L. Hodges and George R. Weeks agreed to advance money for the purchase of arms, provided the governor would stand responsible in the event the Legislature failed to appropriate the money to reimburse them. The arrangement was made and Mr. Hodges, as Clayton's agent, went north to purchase the arms. He obtained 4,000 muskets, which were shipped to Memphis, where they were held by agreement of the transportation companies. On October 12, 1868, Governor Clayton chartered the steamboat "Hesper," commanded by Captain Houston, to go to Memphis and transport the arms to Little Rock.

All this was done quietly, but the news of what was going on leaked out and an Arkansas man, whose name has never been made public, went to Memphis to prevent the arms from reaching their destination. Captain Houston started on his return trip on the 15th. When about twenty miles below Memphis, the steam tug "Nettie Jones" drew up alongside the "Hesper" and the latter vessel was boarded by a band of men armed and masked. The boxes containing the muskets were broken open and the guns were thrown into the Mississippi. Then the disguised men returned to the "Nettie Jones" and steamed away. The whole affair occupied but a few minutes of time. In his message of November 24, 1868, the governor gave an account of this event to the Legislature and said:

"The loss of these arms and the inability of the executive to procure others rendered it impossible for me to give such protection to the peaceable and law abiding citizens of our state as the insurrectionary condition of affairs demanded. I earnestly recommend that legislative action be had for the purchase of arms, and also an appropriation for the expense of the militia."

THE KU-KLUX KLAN

In his book, Governor Clayton has a great deal to say about the Ku-Klux. In fact, if the matter relating to this organization were to be taken out of the book, there would not be much left. Every crime, great or small, whether premediated or committed on impulse, he charges against the Ku-Klux. Every organization of white men for political purposes, unless it had the sanction of the governor in advance, was regarded as a Ku-Klux den. That there was a Ku-Klux Klan is true; that it was an important factor in the Arkansas disturbances during reconstruction days is extremely doubtful. Harrell, in his "History of the Brooks-Baxter War," says:

"There was really no organization of the 'Ku-Klux Klan' in the State of Arkansas. There were sporadic attempts at the formation of some such organization, but they came to naught. * * * Clayton was no coward. His exhibition of apprehension at the existence of the Ku-Klux must have been simulated. He had his spy in the only lodge ever organized in Little Rock, and he knew that it held but one meeting; that it never took the slightest action of any kind and disbanded."

As the events of which Clayton wrote occurred over half a century ago and a new generation has come upon the stage of action, it may be of interest to the people of the present day to know something of the Ku-Klux Klan, the manner in which it was organized, its principles and how it was transformed into a political organization. The original Ku-Klux Klan was organized in the spring of 1866 by some young men of Pulaski, Tennessee, for purposes of amusement. The Greek word "Kuklos" (meaning a band or circle) was proposed as a name for the society. One of the young men mispronounced it "Kuklux," which was adopted. The word Klan was added in its misspelled form, merely for the sake of the alliteration. Two of the founders—J. C. Lester and D. L. Wilson—afterward wrote a history of the Klan, from which the following extracts are taken:

"The prevalent idea was that the Klan contemplated some great and important mission. This idea aided its rapid growth. And on the other hand the rapid extensions of the Klan confirmed this idea of its purposes. When admitted to membership this conclusion, in the case of many, was deepened rather than removed by what they saw and heard. There was not a word in the ritual or in the obligation, or in any part of the ceremony, to favor such a conclusion; but the impression still remained that this mysteriousness and secrecy, the high sounding titles of the officers, the grotesque dress of the members and the formidable obligation, all meant more than mere sport.

"When the meetings first began to be held in the dilapidated house on the hill, passers-by were frequent. Most of them passed the grim and ghostly sentinel on the roadside in silence, but always with a quickened step. Occasionally one would stop and ask: 'Who are you?' In awfully sepulchral tones, the invariable answer was: 'A spirit from the other world. I was killed at Chickamauga.' Such an answer, especially when given to a superstitious negro, was extremely terrifying.

"In a short time the Lictor of the Pulaski (Tenn.) 'den' reported that travel along the road on which he had his post had almost entirely stopped. * * * In the country it was noticed that the nocturnal perambulation of the colored population diminished, or entirely ceased, wherever the Ku-Klux appeared. In many ways there was a noticeable improvement in the habits of a large class which had hitherto been causing great annoyance. In this way the Klan gradually realized that the most powerful devices ever constructed for controlling the ignorant and superstitious were in their hands. Circumstances made it evident that the measures and methods employed for sport might be effectually used to subserve the public welfare to suppress lawlessness and protect property. When propositions to this effect began to be urged, there were many who hesitated, fearing danger. The majority regarded such fears as groundless. They pointed to the good results which had already been produced. The argument was forceful and the very force of circumstances carried the Klan away from its original purpose."

THE UNION LEAGUE

This secret political society was formed in the North in 1862, "to organize and make effective loyal sentiment." About the close of the war it was extended

into the South, among the Unionists who had already formed small secret societies in opposition to the Confederacy. The character of the order was entirely changed by the admission of negroes into the League organizations controlled by the agents of the Freedmen's Bureau. Says Fleming:

"Perhaps the most potent of all causes which brought about the transformation of the Ku-Klux Klan was the existence in the South of a spurious and perverted form of the 'Union League.' It is a part of the history of those times that there was a widespread and desperately active organization called the 'Union League.' It was composed of the disorderly element of the negro population, and was led and controlled by white men of the basest and meanest type just now referred to. They met frequently, went armed to the teeth, and literally 'breathed out threatening and slaughter.' They not only uttered, but in many instances executed the most violent threats against the persons, families, and property of men, whose sole crime was that they had been in the Confederate army. It can not be truthfully denied that the Ku-Klux committed excesses and were charged with wrong doing. But they were never guilty of the disorderly and unprovoked deeds of deviltry, which mark the history of the Southern 'Union League.' It was partly, I may say chiefly, to resist this aggressive and belligerent organization that the Ku-Klux transformed themselves into a protective organization."

THE INVISIBLE EMPIRE

Early in the summer of 1867 representatives from various Ku-Klux organizations met in Nashville, Tennessee, and organized the "Invisible Empire." The Empire was ruled by a Grand Wizard. Each state was a realm, ruled over by a Grand Dragon, and local societies were named dens. The chief officer of the den was the Grand Cyclops and the members were known as ghouls. The creed and objects of the order were set out as follows:

"We, the Order of the * * * reverentially acknowledge the majesty and supremacy of the Divine Being and recognize the goodness and providence of the same. And we recognize our relation to the United States Government, the supremacy of the Constitution, the constitutional laws thereof, and the Union of states thereunder.

"This is an institution of chivalry, humanity, mercy and patriotism; embodying in its genius and its principles all that is chivalric in conduct, noble in sentiment, generous in manhood and patriotic in purpose; its peculiar objects being

"1. To protect the weak, the innocent and the defenseless from the indignities, wrongs and outrages of the lawless, the violent and the brutal; to relieve the injured and oppressed; to succor the suffering and unfortunate, and especially the widows and orphans of Confederate soldiers.

"2. To protect and defend the Constitution of the United States and all laws passed in conformity thereto, and to protect the states and the people thereof from all invasion from any source whatever.

"3. To aid and assist in the execution of all constitutional laws, and to protect the people from unlawful seizure and from trial, except by their peers in conformity to the laws of the land."

In the abstract, there is nothing in this declaration of principles and objects to which any reasonable man could object. But the order spread over the southern states until its members became uncontrollable. Gen. Nathan B. Forrest, who was Grand Wizard, stated before a committee of Congress that the Invisible Empire numbered over half a million members. No doubt many of the outrages committed during the reconstruction era and attributed to the Ku-Klux were committed by persons who had no connection with the order. Says Dunning:

"The chief of the Invisible Empire became alarmed at the spirit and proportions of the association which he headed and in 1869 sent forth the order to disband it; but though he surrendered his functions, the local societies long continued to employ familiar methods in asserting the supremacy of their race. The moral suasion to which the leaders would limit the movement against the radicals never ceased to be supplemented by the merciless physical suasion in which rested the confidence of the rank and file."

Radical leaders in Washington thought they saw evidence of a gigantic secret organization of rebels for the overthrow of the Republican party in the reconstructed states. The result was the passage of the "Enforcement Acts" of May 31, 1870, and February 28, 1871, and the "Ku-Klux Act" of April 20, 1871. These laws were later decided to be unconstitutional by the United States Supreme Court.

Whatever may be the judgment of history, those acquainted with the real conditions in the South in the years immediately following the war are firm in the belief that the Ku-Klux accomplished more good than it did harm. The Klan served a good purpose. Wherever it appeared the effect was salutary. The lawless class assumed habits of good behavior. The Union League relaxed its severe treatment of ex-Confederates. Fleming says: "If there had been no Union League, there would have been no Ku-Klux. Under the fear of the dreaded Ku-Klux, the negroes made more progress in a few months, in the needed lessons of self-control, industry and respect for the rights of property and general good behavior, than they would have done in as many years, but for this or some equally powerful impulse."

If the order was never strong in Arkansas, it was probably due to the fact that the conditions here were not as aggravated as in some of the other seceded states. Clayton says that Gen. Robert G. Shaver was the Grand Dragon of the Arkansas realm, and that he issued an order for his arrest. Shaver left the state and sought refuge in Honduras, not because he had committed any grave offense against the laws, but because he did not want to live where he could be insulted by Clayton's militia.

THE POLAND COMMITTEE

In 1874 the Brooks-Baxter war, an account of which is given in an earlier chapter, brought matters to a crisis in Arkansas. The national House of Representatives appointed a special committee to investigate the political conditions in the state and report. Luke P. Poland, of Vermont, was made chairman of the committee, which came to Little Rock and spent several weeks in hearing witnesses. Among those examined were: John McClure, E. H. English, M. L.

Stephenson, F. W. Compton and Lafayette Gregg, all of whom were either then or had been judges of the Supreme Court; W. J. Warwick, judge of the Pulaski Chancery Court; John M. Clayton, brother of the governor; Jesse N. Cypert, who had served as a delegate to the constitutional convention in 1868; Benton Turner, a member of the Legislature from Conway County and author of the "Railroad Steal Bill;" J. M. Johnson, former lieutenant-governor; D. P. Upham, one of Governor Clayton's militia officers; Asa Hodges, member of Congress; Gen. Robert C. Newton, a commander of the Baxter militia during the "war;" Gov. Elisha Baxter, and a number of others. In his "Aftermath" Governor Clayton has this to say of the Poland committee:

"This war was made the subject of an investigation by a United States House Committee, known as the Poland committee, and a large mass of false testimony was given against me. As chairman of the state central committee I felt called upon to correct this and, although I was aware that Luke Poland, the chairman of the committee, was distinctly antagonistic to me, I went before the committee for that purpose. When I entered the room I saw to my amazement that Mr. Brooks, then largely supported by republicans, had chosen as his counsel the brother of B. F. Rice, my bitter political enemy, and that Governor Baxter was represented by the chairman of the democratic state committee. * * * Under those conditions I decided not to testify, and then and there washed my hands of the whole disgraceful affair."

No doubt Governor Clayton "washed his hands" because he found the investigation was being conducted by men who did not belong to his "machine," and feared the consequences of a rigid cross examination.

On February 19, 1875, the committee reported to the House that A. H. Garland had been elected governor under a constitution calculated to restore harmony in the state, and Mr. Poland offered the following resolution: "Resolved, That the report of the select committee on the condition of affairs in the State of Arkansas be accepted. And in the judgment of this House no interference with the existing government in that state by any department of the United States is advisable."

During the debate that ensued, some of the radical members, prompted by Senators Clayton and Dorsey, tried their utmost to defeat the resolution and compass the defeat of the report. But the majority in their favor was too formidable to be overcome. The resolution was adopted. Thus perished Congressional Reconstruction in Arkansas, with no sorrowful eye to shed a tear over its bier, and no friendly hand to plant a flower on its grave.

CHAPTER XXXIX

THE SPANISH-AMERICAN WAR

SPAIN'S OPPRESSION OF CUBA—THE TEN YEARS' WAR—REVOLUTION OF 1895—WEYLER'S CRUELTY—THE RECONCENTRADOS—PROTESTS OF THE UNITED STATES—DESTRUCTION OF THE MAINE—CONGRESS DECLARES WAR—ARKANSAS ANSWERS THE CALL—FIRST REGIMENT—SECOND REGIMENT—COMPANIES AND CASUALTIES—FIRST SHOT OF THE WAR—UNITED SENTIMENT.

For four centuries after the discovery of America, the Island of Cuba was a dependency of Spain. While that nation was losing, one by one, her other American possessions, the people of Cuba remained loyal to the mother country. In 1808, when the Spanish dynasty was overthrown by Napoleon, the Cubans declared war against the French Republic. Their loyalty during all this time received but a poor recompense, however, as in 1825 King Ferdinand issued a decree which placed the lives and fortunes of the Cubans at the absolute disposal of the captains-general, or governors of the island, appointed by the crown.

Ferdinand's decree marked the beginning of the Spanish policy of tyranny (in some instances actual inhumanity) toward her colonial subjects. This policy was due to some extent to the unsettled condition of political affairs in Spain. Internal dissensions commanded all the attention of Spanish statesmen and the colonies were neglected. With the death of Ferdinand in 1833, his daughter, Isabella, was proclaimed Queen. Ferdinand's brother, Don Carlos, set up the claim that he was the rightful heir to the throne. He insisted that the recognition of Isabella was a violation of the Salic law, which prohibited women to exercise the royal prerogative. He was not without supporters and for many years the "Carlist Party" was a standing menace to the Spanish Government. Under these circumstances little effort was made to improve the condition of the colonies and the colonists grew more and more discontented.

As early as 1829 a conspiracy was formed in Cuba for the purpose of throwing off the Spanish yoke, but it was discovered and crushed before the conspirators were ready to begin open hostilities. In 1844 the negroes of the island attempted an insurrection, but, like the conspiracy of fifteen years before, it was soon crushed, and with great cruelty by the Spaniards. Four years later President Polk instructed the United States minister at Madrid to offer $100,000,000 for the island, but the offer was rejected.

In 1868 what is known as the "Ten Years' War" broke out, the Cubans taking advantage of internal dissensions in Spain and hoping to establish their independence. Amadeus, second son of Victor Emanuel of Italy, was called to the Spanish throne as "constitutional king" in 1871 and reigned for about two years. Then the provisional government under Castilla came into power. Castilla threatened to "make a desert of the Island of Cuba." To

make this threat good he sent an army of 257,000 soldiers to Cuba, but the resistance was so determined that only about fifty thousand of them ever returned to Spain. During the war property valued at $300,000,000 was destroyed and the heavy debt incurred by Spain on account of the uprising was saddled upon the people of Cuba as a penalty for their revolt. The captains-general also became more arrogant and tyrannical in the administration of affairs.

The Cubans were conquered, but they were not ready to abandon all hope of winning their independence. The heavy burden of taxation and the unreasonable demands of the captains-general soon awakened anew the revolutionary spirit. Experience had taught them the necessity of caution and for fifteen years they carried on their preparations with the utmost secrecy. In 1895 the insurrection broke out at several places on the island simultaneously, under the leadership of Generals Maceo and Gomez. Captain-General Campos, who succeeded Calleja in April, 1895, carried on his military operations according to established rules of warfare, but this policy was not approved at Madrid. Gen. Valeriano Weyler was therefore appointed as his successor.

Immediately a change could be seen. Upon taking command, Weyler issued his famous "I order and command" proclamation directing the troops to gather the inhabitants of the rural districts into the cities, where they could be kept under surveillance by the military authorities. He claimed that this was necessary to prevent them from giving aid to the insurgents. All who failed to obey the order within eight days were to be regarded as rebels and dealt with accordingly. The proclamation likewise prohibited the transportation of provisions from one town to another without first obtaining permission. The supply of food in the cities and towns was inadequate to the demands of the "reconcentrados," as the people therein confined were called, and many actually starved to death. Weyler was no respecter of age or sex and women and children were the greatest sufferers.

The inhumanity of Weyler's course aroused the indignation of the civilized world. European nations sent protests to Madrid, but they fell on deaf ears. Early in May, 1897, Congress appropriated $50,000 for the relief of the "reconcentrados," and on the 20th of that month passed a resolution recognizing the rights of the Cuban belligerents. The people of the United States also raised funds and sent relief to the starving Cubans, but in nearly every case the supplies fell into the hands of Weyler or his subordinates and failed to reach the people for whom they were intended. Political conventions, irrespective of party, commercial organizations, State Legislatures and numerous societies in this country adopted resolutions calling on the Federal Government to intervene in behalf of the oppressed Cubans. The platform upon which William McKinley was elected President in 1896 declared that some action must be taken in the interest of humanity. Immediately following his election riots occurred in Havana, Weyler's emissaries industriously spreading the report that any intervention by the United States meant the ultimate annexation of Cuba to that country. In his message to Congress on December 6, 1897, Mr. McKinley said:

"The present insurrection broke out on February 20, 1895. The revolt and the efforts to subdue it carried destruction to every quarter of the island, developing wide proportions and defying the efforts of Spain for its suppression.

The civilized code of war has been disregarded, no less so by the Spaniards than by the Cubans. * * * There is no desire on the part of our people to profit by the misfortunes of Spain. We have only the desire to see the Cubans prosperous and contented, enjoying that measure of self-control which is the inalienable right of man, protected in their right to reap the benefit of the exhaustless treasures of their country."

About the beginning of the year 1898 the Atlantic Squadron of the United States Navy was ordered to the Dry Tortugas, of the southern extremity of the Florida Peninsula and within six hours sail of Havana. On the 25th of January the Battleship Maine, one of the vessels belonging to the squadron, dropped anchor in the Harbor of Havana, the Spanish authorities having been notified by the American consul-general the day before of the cruiser's intended arrival. Prior to this time, the Spanish Government had protested against the United States' sending vessels bearing supplies to the reconcentrados. It can therefore easily be imagined that the presence of the Maine in the harbor was not pleasing to the Spanish officials, who, as a measure of retaliation, ordered the cruiser Vizcaya to New York.

DESTRUCTION OF THE MAINE

About twenty minutes before ten o'clock on the evening of February 15, 1898, the Maine was blown up, with a total loss of the vessel and 266 of her officers and crew, who were either killed by the explosion or drowned while trying to reach the shore. A court of inquiry, composed of Captains William T. Sampson and F. E. Chadwick and Lieutenant Commanders William R. Potter and Adolph Marix, was convened almost immediately and after a searching investigation it reported that "There were two explosions, with a short but distinct interval between them, and the forward part of the ship was lifted to a marked degree by the first explosion. * * * In the opinion of the court, the Maine was destroyed by the explosion of a submarine mine, which caused the partial explosion of two or more of her forward magazines."

The destruction of the Maine, with its consequent loss of life, increased the excitement in the United States and the demands for intervention became more insistent. Still the administration declined to respond to these demands, for two reasons. The first reason was that in October, 1897, General Blanco had superseded General Weyler and had made a public announcement that the reconcentrados would be permitted to return to their homes. The second reason was that the President was awaiting the decision of the court of inquiry which was investigating the destruction of the Maine.

On March 8, 1898, Congress appropriated $50,000,000 "for the national defense," but nothing further was done until the 28th, when it became definitely known that Blanco's promise to release the reconcentrados had been, and was being, systematically ignored. On the 28th President McKinley communicated this fact to Congress and at the same time submitted the report of the court of inquiry. In his message he invoked the deliberate consideration of Congress. The next day bills relating to Cuban affairs were introduced in both House and Senate, and on April 1, 1898, a naval appropriation bill was passed. Ten days later the President sent to Congress another message, in which he said: "In

the name of humanity, in the name of civilization, in behalf of endangered American interests, which give us the right and the duty to speak and to act, the war in Cuba must stop. In view of these facts and these considerations, I ask Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba."

CONGRESS DECLARES WAR

On the 13th of April the House of Representatives adopted resolutions directing the President to intervene immediately in Cuban affairs. The resolutions were sent to the Senate, where they were amended by the use of much stronger language, and on the 18th the House concurred in the amendments. The resolutions as adopted on that date were as follows:

"1. That the people of the Island of Cuba are, and of right ought to be, free and independent.

"2. That it is the duty of the United States to demand, and the Government of the United States does demand, that the Government of Spain at once relinquish its authority and government in the Island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

"3. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States, the militia of the several states to such an extent as may be necessary to carry these resolutions into effect.

"4. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction or control over said island, except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people."

These resolutions did not constitute a formal declaration of war, but merely gave the President power to intervene in the interests of humanity. Two days after their adoption, the United States sent an ultimatum to Spain, demanding the relinquishment of Spanish authority over Cuba before noon of April 23, 1898, and the withdrawal of all land and naval forces, in accordance with the second resolution. Spain refused compliance and Rear Admiral Sampson was ordered to blockade the Cuban ports. On the 23d President McKinley issued his proclamation calling for 125,000 volunteers, "the same to be apportioned, as far as practicable, among the several states and territories and the District of Columbia, according to population, and to serve for two years unless sooner discharged."

This proclamation was issued before an actual declaration of war had been made by Congress, but on the 25th it was enacted: "That war be, and the same is hereby, declared to exist, and that war has existed since the 21st day of April, 1898, between the United States of America and Spain."

ARKANSAS ANSWERS THE CALL

On April 25, 1898, Gov. Daniel W. Jones received information from the war department that Arkansas' quota of the 125,000 volunteers called for by the

President would be two regiments of infantry, and that it was the President's desire that the National Guard organizations should be used to furnish the quota, if possible. As no two regiments of the Arkansas National Guard were well enough organized and equipped to be mustered in as units, the governor directed that companies be selected from all parts of the state and two new regiments organized. On May 2, 1898, the governor issued his "General Order No. 2," to wit:

"Little Rock, Arkansas, having been designated as the place of rendezvous by the secretary of war of the two regiments of infantry called from Arkansas to enlist as United States volunteers, the place of camp is hereby fixed at the corner of College Avenue and Seventeenth Street, in said city, and designated as 'Camp Dodge,' as a tribute of respect to the late Dr. Roderick Dodge, a long and honored resident of the state, to whose estate the site of the camp belongs, and whose heirs have courteously donated the use of the same for this purpose."

Then the work of organizing companies and mobilizing the troops at Camp Dodge was pushed forward with all possible vigor. There was no appropriation available for military purposes, but Governor Jones made arrangement with the bankers of the state to advance $10,000. The Legislature of 1899 made an appropriation to pay this loan and the money was afterward refunded to Arkansas by the United States.

FIRST REGIMENT

The First Arkansas Volunteer Infantry was mustered in on May 18th for two years, "unless sooner discharged," with Elias Chandler as colonel; John M. Dungan, lieutenant-colonel; Greenfield Quarles and Clement R. Schaer, majors. Colonel Chandler graduated at the United States Military Academy in 1880; was assigned to the Sixteenth United States Infantry as second lieutenant; was promoted to first lieutenant on April 14, 1887; served on the western frontier until the fall of 1892; was recruiting officer at David's Island, New York, until February, 1894; was then on detached duty as professor of military science in the University of Arkansas until February, 1898; rejoined his regiment at Fort Sherman, Idaho, but at the breaking out of the war obtained leave of absence to accept the colonelcy of the First Arkansas. He was mustered out with the regiment at Fort Logan H. Roots on October 25, 1898, and again entered the regular army.

Company A was raised in Garland County and was mustered in with William E. Wooten, captain; Fred L. Dengler, first lieutenant; Wesley G. Parker, second lieutenant. While in service privates Alexander W. Allison and Madison J. Denson died, and Jerry Gilbert and Alfred R. Hockersmith were discharged for disability.

Company B came from Jefferson County. The commissioned officers of this company were: Earle K. Braley, captain; Clyde B. Smith, first lieutenant; Walter C. Hudson, second lieutenant. Corporal Calvin D. Vohlman of this company died at Chickamauga Park, September 9, 1898.

Company C was raised in Sebastian County. It was mustered in with Charles E. Byers, captain; John W. Wood, first lieutenant; William L. Keenan, second lieutenant. This company lost four privates by death viz: Frank R. Foster, Henry Gately, John M. Reynolds and William M. White.

Company D was raised in Sebastian and Washington counties. The commissioned officers were: Carrol F. Armistead, captain (resigned on July 25, 1898, to accept a commission as second lieutenant in the regular army and was succeeded by Charles D. Coffey); William M. Fishback, Jr., first lieutenant: Lamar G. Humphry, second lieutenant. William H. Lawson, a private of this company, was accidentally killed during target practice on July 30, 1898, and John Niger died on July 21, 1898.

Company E was organized in Hempstead, Howard and Sevier counties. Of this company Grant A. White was captain; George H. Bryant, first lieutenant: Leo Krause, second lieutenant. Four privates of this company died during their term of service, viz: John W. Sims, William O. Simpson, Robert C. Quiett and William C. Whitesides.

Company F came from Benton and Washington counties. James L. Long was captain; George W. Tipton, first lieutenant; William I. Thompson, second lieutenant. Sergt. James L. Strickland was the only death reported in this company; six privates were discharged for disability.

Company G was raised at Helena, though a number of the men came from other counties. The officers when mustered in were: Charles P. Saunders, captain; William B. Pillow, first lieutenant; John E. Fritzon, second lieutenant. Only one death, that of Pvt. Carlisle Burbank, was reported by this company.

Company H was organized at Arkadelphia. It was mustered in with Albert B. Moore, captain; Leon O. Head, first lieutenant: William A. Garland, second lieutenant. Corp. Thomas M. Hall was the only death reported during service.

Company I was raised in Crawford County and was mustered in with Solomon L. Jeffers, captain; James L. Moore, first lieutenant; Theodore T. Pile, second lieutenant. Pvt. Caswell H. Mayo died on July 15, 1898, and James S. Richardson was killed by a freight train near Fayetteville on October 10, 1898.

Company K was a Logan County organization. It was mustered in with Henry Stroup, captain; J. D. Ferguson, first lieutenant; George W. Sharon, second lieutenant. Three deaths occurred in this company, to wit: Theodore H. Anderson, James L. Dieson and Alexander Lackey.

Company L was organized at Texarkana, though it contained men from several of the southern counties. The commissioned officers were: William A. Haywood, captain; Robert W. Reynolds, first lieutenant; Harry E. Courtney, second lieutenant. Samuel M. Bailey and Henry Fox, privates, died while in service.

Company M was raised in Ouachita County. Of this company Milton A. Elliott was captain; Marshall K. Wilson, first lieutenant; John M. Kelso, second lieutenant. But one death was reported in this company, that of Pvt. Berrell H. Beard.

Soon after the regiment was mustered in its was ordered to Camp Thomas, Chickamauga Park, Georgia, where it remained until late in September, when it was ordered to return to Arkansas. It was mustered out at Fort Logan H. Roots on October 25, 1898.

SECOND REGIMENT

On May 25, 1898, the Second Arkansas Volunteer Infantry was mustered in for two years, "unless sooner discharged," with Virgil Y. Cook, colonel;

DeRosey C. Cabell, lieutenant-colonel; Claude H. Sayle and James J. Johnson, majors. Major Johnson died at Anniston, Alabama, September 29, 1898, and Charles M. Wing, captain of Company A, was promoted to the vacancy.

Colonel Cook was born in Kentucky and before he was fifteen years of age enlisted as a private in Company H, Seventh Kentucky (Confederate) Cavalry. His regiment served with Gen. Nathan B. Forrest's cavalry corps, taking part in all the battles and campaigns of that command, and was surrendered at Gainesville, Alabama, May 10, 1865. The next year Cook, still a young man, settled in the Oil Trough district of Independence County, where he engaged in business as a planter and later as a merchant in the little Town of Elmo. After his service in the war with Spain he located at Batesville.

Company A was organized chiefly in Pulaski County. Charles M. Wing was commissioned captain; Burdett L. Roberts, first lieutenant; Augustus G. Moser, second lieutenant. Captain Wing was promoted to major on October 15, 1898, and Ernest Neill became captain of the company. Captain Neill resigned January 4, 1899, to enter the Legislature as a representative from Independence County, and Lieutenant Roberts was promoted to the captaincy. One death, that of Gordon G. Prather, occurred while the regiment was in service.

Company B was organized in Independence and Jackson counties. It was mustered in with Robert H. Reed as captain; Ernest Neill, first lieutenant; Allen R. Dickinson, second lieutenant. William M. Engle died while at Camp Thomas, and four privates were discharged for disability.

Company C came from Lawrence County. The commissioned officers of the company were: James F. Medearis, captain; William L. Phelps, first lieutenant; William K. Surridge, second lieutenant. Milton D. Pratt was the only death reported in this company.

Company D was a Greene County company. It was mustered in with Percy W. Moss, captain; John L. Marshall, first lieutenant; Robert G. Warren, second lieutenant. Pvt. Jonathan L. D. Carroll and Sergt. Joseph T. Otis died while the regiment was at Anniston, Alabama.

Company E was organized at Little Rock, the men coming from different parts of the state. Of this company Raleigh M. Pearson was captain; Branch Martin, first lieutenant; Walter B. Millard, second lieutenant. Lieutenant Martin resigned and Lieutenant Millard was promoted to the vacancy on October 15, 1898, Sergt. James W. Butler becoming second lieutenant. One death occurred in Company E, that of Pvt. Sylvester V. Weaver.

Company F came from Jackson, Lawrence and Poinsett counties. It was organized at Newport with Michael M. Stuckey, Jr., captain; Marcus B. Brewer, first lieutenant; John R. Caruthers, second lieutenant. Pvts. William Fowler and Charles H. Lee died at Camp Thomas and four men were discharged for disability.

Company G was organized in Lonoke County. The commissioned officers were: George W. Granberry, captain; George W. Hendricks, first lieutenant; Theodore Levack, second lieutenant. The deaths in this company were: Albert Bizzell, Walter P. Blankenship, Commodore L. Evans, Edward O'Bannon and Louis L. Ragland.

Company H was raised in the eastern part of the state and was organized at Forrest City. The commissioned officers were: John T. Brady, captain; Linn

Turley, first lieutenant; Charles R. Izard, second lieutenant. The last named resigned on September 28, 1898, and Corp. Walter R. Taylor was promoted to the vacancy. Five members of this company died while in service, to wit: David Hays, Samuel McKay, John W. Martin, Claude C. Sanders and Jefferson Skaggs.

Company I was organized at Stuttgart, though the men came from all parts of the state. Of this company John H. Yuckley was captain; William H. Moorhead, first lieutenant; William H. Sheridan, second lieutenant. Captain Yuckley resigned in December, 1898, and Lieutenant Brewer of Company F became captain. Lieutenant Moorhead resigned in October, 1898; Lieutenant Sheridan was promoted to the vacancy, and Sergt. Tillman Campbell became second lieutenant. The deaths in this company were: John Callahan, Joseph J. Irwin, Frank S. Tisdale and William K. Tison.

Company K was raised in the northern part of the state. It was organized at Harrison, with John R. Newman, captain; Lafayette Eoff, first lieutenant; Perry C. Maggard, second lieutenant. The one death reported by this company was that of Pvt. Isaac H. Davis.

Company L was raised in Conway, Pope, Yell and Faulkner counties. It was organized at Conway with Bruce T. Bullion, captain; Alfred S. Deshon, first lieutenant; John A. King, second lieutenant. Harry L. Sills was the only member of the company to die while in service.

Company M was made up of young mountaineers from Baxter, Fulton, Izard and Marion counties. The commissioned officers when mustered in were: Jerry C. South, captain; William R. Kendrick, first lieutenant; Stephen Brown, second lieutenant. Captain South resigned on December 2, 1898; Lieutenant Kendrick was promoted to the captaincy and William A. Oldfield, first sergeant, was made first lieutenant. Three deaths were reported in this company—Arthur G. Lewis, Charles P. Tunstall and Thomas L. Turner.

On the last day of May, 1898, the regiment arrived at Camp Thomas, Chickamauga Park, Georgia, where it was assigned to the Second Brigade, Second Division, Third Army Corps, the First Arkansas having arrived three days earlier and been assigned to the First Brigade of the same division and corps. On September 9, 1898, the Second Regiment was ordered to Camp Shipp, Anniston, Alabama, where it remained until February 25, 1899, when it was mustered out. In his report the adjutant-general of the state says: "This regiment was never permitted to engage in active service and was kept in service long after all probability of such service had ended. The last few months' service was exceedingly irksome and unsatisfactory to men and officers."

The same statement would apply to the First Regiment, except that it was mustered out four months earlier than the Second and the men and officers did not have to undergo the irksomeness of routine life in camp for so long a time.

At the beginning of the war the signal corps of the Arkansas National Guard volunteered for service, but was not accepted as an organization. However, the President appointed ten members of the corps to positions in the signal corps and staff departments, to wit: Maj. Fred N. Rix and Maj. E. S. Garnett, of Hot Springs; Capt. Thomas H. Sims, of Hope; Capt. E. R. Butler, of Batesville; Capt. Milton Vaughan, of Little Rock; Capt. Walter L. Phelps, of Walnut

Ridge; Capt. E. W. Winfield, of Little Rock; First Lieut. P. W. Crawford, Jr., of Little Rock; Second Lieut. Elmo Carl Lee, of Augusta, and Second Lieut. John C. Greenway, of Hot Springs.

FIRST SHOT OF THE WAR

One of the gunners on Admiral Dewey's flagship, the Olympia, was Stokely P. Morgan, who enlisted in the navy from Camden, Arkansas. He was a son of Col. Asa S. Morgan, who served in the Confederate army, first as captain of Company A, First Arkansas Infantry, and later as colonel of a regiment in the Trans-Mississippi Department. When Dewey's fleet steamed into Manila Bay on May 1, 1898, and he gave his famous order: "You may fire when you are ready, Gridley," that order was given to Gunner Morgan, who fired the shot that inaugurated actual hostilities in the war with Spain. Failing health led to his discharge from the navy, with the rank of lieutenant commander, and he returned to his home in Camden, where he died in November, 1900. A short time before his death the citizens of Camden presented him with a beautiful sword—a recognition of the honor due him as the man who sent the first shell into the Spanish fleet in Manila Bay.

UNITED SENTIMENT

There is no question that the Spanish-American war did more to break down the sectional feeling between the North and South than anything that had happened since the close of the Civil war. From 1865 to 1898, ex-Confederates had been wont to tell their sons stories of the "Yanks," while ex-Union soldiers had been just as industriously poisoning the minds of their sons against the "Rebels." When the sons of those who wore the blue and those who wore the gray met in camp and fraternized, each learned that the others were "not such bad fellows after all." Before war was formally declared by Congress, many of the veterans of the Civil war, both North and South, were urging the administration to intervene in behalf of Cuba and avenge the sailors who lost their lives by the destruction of the Maine. About the middle of April, while President McKinley was trying to settle the difficulties without resorting to war, the following lines appeared in the Southern Standard of Arkadelphia, as expressing the sentiments of an ex-Confederate soldier:

Git my gun, Malinda, till I polish up the stock;
The Spanish men are gainin' ground, McKinley's made a balk;
Too much consideration will not make Cuba free,
So git my gun, Malinda, and hand her down to be.

Two hundred gallant sailors were murdered on the Maine,
The blood of every one of them is on the hands of Spain;
And men who love their country should never stop to lag,
When they're needed by their country to help defend the flag.

Git my gun, Malinda, she's rusted many a day;
I carried her through Mexico—we fought at Monterey;
We faced the "Yanks" at Gettysburg, we fought the fight with Lee,
So git my gun, Malinda, and hand her down to me.

Git my gun, Malinda, I'll be a soldier true
And jine hands with the Yankees, who wore the coats of blue;
And we'll march out with our muskets a-gleamin' in the sun
And help to fight for freedom. Malinda, git my gun.

I had hoped that glorious freedom through all my life might reign,
But Cuba's sons of liberty must lick the tyrant, Spain.
And I'll follow up my sentiments with powder and with lead,
I believe in us that's livin' avengin' them that's dead.

So git my gun, Malinda, the Dons have given a shout,
And I'm goin' to jine the army and help to wipe 'em out;
The cowards of Spain blowed up the Maine and I ain't a-goin' to lag,
Just hand me down my musket and I'll follow up the flag.

CHAPTER XL

ARKANSAS IN THE WORLD WAR

BEGINNING OF THE WAR—DIPLOMATIC RELATIONS WITH GERMANY SEVERED—ARMING MERCHANT SHIPS—PRESIDENT WILSON'S WAR MESSAGE—CONGRESS DECLARES WAR—STATE COUNCIL OF DEFENSE—SELECTIVE SERVICE LAW—ARKANSAS NATIONAL GUARD—CAMP PIKE—EIGHTY-SEVENTH DIVISION—AVIATION FIELD—WAR STATISTICS—THE FINANCIAL SIDE—THE AMERICAN LEGION—LIST OF POSTS IN ARKANSAS.

Years must elapse before a true and impartial history of the great World war of 1914-1918 can be written, but no history of Arkansas at this time would be complete without some account of the part taken by the state in the great conflict in which so many nations were engaged. The English blockade of German ports in the early part of the war led the latter nation to inaugurate a submarine warfare in the effort to cut off provisions and supplies from Great Britain and her allies. This submarine warfare soon became both merciless and indiscriminate. German naval commanders seemed to believe in the truth of the old saying that "All is fair in love or war," and ships were ruthlessly sunk, without regard to their nationality or the character of their cargoes.

For months before the United States entered the war, President Wilson sought by correspondence to obtain some mitigation of Germany's submarine activities, through which passenger vessels of neutral nations were torpedoed and sunk and a number of American citizens lost their lives. Failing to receive reasonable assurances from the Imperial German Government that this warfare would be modified, the President addressed Congress on February 3, 1917, announcing that all diplomatic relations with that government had been discontinued. After reviewing the correspondence, and the failure to obtain satisfactory promises from the German Government that American citizens should be protected, the President said:

"If American ships and American lives should in fact be sacrificed by their naval commanders, in heedless contravention of the just and reasonable understandings of international law and the obvious dictates of humanity, I shall take the liberty of coming again before the Congress to ask that authority be given me to use any means that may be necessary for the protection of our seamen and our people in the prosecution of their peaceful and legitimate errands on the high seas. I can do nothing less. I take it for granted that all neutral governments will take the same course."

The mere act of severing diplomatic relations failed to better conditions upon the high seas, and on February 26, 1917, the President delivered to Congress what is known as his "Armed Neutrality Message," in which he asked for authority to take such measures as might be deemed necessary for the protection of merchant ships, by supplying them "with defensive arms, should

that become necessary, and with the means of using them." Congress granted the authority asked for, and merchant ships going into the "war zone" were equipped with guns, manned by small detachments of United States marines. On April 2, 1917, the President again reviewed the situation in a special message to Congress, in which he said:

"The German Government denies the right of neutrals to use arms at all within the areas of the sea which it has proscribed, even in the defense of rights which no modern publicist has ever before questioned their right to defend. The intimation is conveyed that the armed guards which we have placed upon our merchant ships will be treated as beyond the pale of law and subject to be dealt with as pirates would be. Armed neutrality is ineffectual enough at best; in such circumstances and in the face of such pretensions it is worse than ineffectual; it is likely only to produce what it was meant to prevent; it is practically certain to draw us into war without either the rights or effectiveness of belligerents. There is one choice we cannot make, we are incapable of making: We will not choose the path of submission and suffer the most sacred rights of our people to be ignored or violated. The wrongs against which we now array ourselves are no common wrongs; they cut to the very roots of human life.

"I advise that Congress declare the course of the Imperial German Government to be in fact nothing less than war against the Government and people of the United States; that it formally accepts the status of belligerent which has thus been thrust upon it; and that it take immediate steps not only to put the country in a more thorough state of defense, but also to exert all its power and employ all its resources to bring the government of the German Empire to terms and end the war."

This address is known as the "Wilson War Message." On the same day it was delivered to the two houses of Congress in joint session, the following resolution was introduced in both the House and the Senate:

"Whereas the Imperial German Government has committed repeated acts of war against the Government and people of the United States of America: Therefore be it

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that the state of war between the United States and the Imperial German Government which has thus been thrust upon the United States is hereby formally declared; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial German Government; and to bring the conflict to a successful termination all of the resources of the country are hereby pledged by the Congress of the United States."

This resolution, known as "Public Resolution No. 1," passed the Senate at the evening session on April 4, 1917, by a vote of 82 to 6, and the next morning it passed the House by a vote of 373 to 50. After being signed by Thomas R. Marshall, Vice President of the United States, and Champ Clark, Speaker of the House of Representatives, it was submitted to President Wilson, who gave it his official approval on April 6, 1917, which date marks the entrance of the United States into the great world conflict.

STATE COUNCIL OF DEFENSE

STATE COUNCIL OF DEFENSE

Soon after war was declared, President Wilson asked the governors of the several states to appoint state councils of defense, to cooperate with the National Council of Defense and the administration in the prosecution of the war. Governor Brough appointed the following: John L. Bond, Walter G. Brasher, C. C. Calvert, H. C. Couch, J. W. Dean, Mrs. Joseph Frauenthal, J. C. Futrall, J. M. Futrell, Dr. C. W. Garrison, John R. Gibbons, Clio Harper, Fred Heiskell, W. L. Hemingway, Joseph W. House, Jr., R. B. Keating, Frank Pace, John H. Page, E. T. Reeves, Harmon L. Remmel, W. C. Ribenack, J. S. Speed, W. G. Sprague, Charles E. Taylor, C. L. Thompson, Wallace Townsend, Jacob Trieber, J. R. Vinson, Dr. Frank Vinsonhaler, C. L. Watson, Durand Whipple, Hamp Williams and Moorhead Wright.

The council conducted a campaign of education, furnished chairmen for the food, fuel and employment administrations, and took an active part in the several Liberty Loan campaigns. When it was organized the state had no funds available for its use, but through the patriotic influence of the bankers $25,000 was placed in the hands of the council. This sum was afterward taken care of by H. C. Couch, Federal Fuel Administrator, out of the savings on coal. County councils were organized in every county of the state. A chairman was appointed at every county seat, with instructions to appoint such helpers as he might need to carry the importance of war work to the home of every citizen. These chairmen were as follows:

Arkansas County—C. E. Condray, DeWitt; J. P. Dillon, Stuttgart; Ashley—George Norman, Hamburg; Baxter—R. H. Russell, Mountain Home—Benton—Dr. J. H. Lindsey, Bentonville; Boone—F. M. Garvin, Harrison; Bradley—J. R. Wilson, Warren; Calhoun—J. S. McKnight, Hampton; Carroll—R. R. Thompson, Eureka Springs; T. E. McMasters, Berryville; Chicot—W. G. Street, Lake Village; Clark—Joseph Hardage, Arkadelphia; Clay—C. T. Bloodworth, Corning; J. M. Turner, Piggott; Cleburne—Howard Reed, Heber Springs; Cleveland—W. E. Galloway, Rison; Columbia—A. S. Kilgore, Magnolia; Conway—Loid Rainwater, Morrillton; Craighead—H. M. Cooley, Jonesboro; Crawford—P. D. Scott, Van Buren; Crittenden—Smith A. Johnson, Marion; Cross—O. N. Killough, Wynne; Dallas—John R. Hampton, Fordyce; Desha—K. G. Morley, McGehee; Drew—Jack Curry, Monticello; Faulkner—W. D. Cole, Jr., Conway; Franklin—L. M. Guthrie, Ozark; T. A. Pettigrew, Charleston; Fulton—J. W. Carroll, Salem; Garland—Houston Emory, Hot Springs; Grant—D. E. Waddell, Sheridan; Greene—Eli Meiser, Paragould; Hempstead—W. S. Atkins, Hope; Howard—J. G. Sain, Nashville; Independence—S. M. Casey, Batesville; Izard—Elbert Godwin, Melbourne; Jackson—Joseph M. Stayton, Newport; Jefferson—A. H. Rowell, Pine Bluff; Johnson—D. W. Dunlap, Clarksville; Lafayette—W. D. Stewart, Lewisville; Lawrence—H. L. Ponder, Walnut Ridge; Hot Spring—A. W. Jernigan, Malvern; Lee—F. N. Burke, Marianna; Lincoln—E. P. Ladd, Furth; Little River—A. D. DuLaney, Ashdown; Logan—C. X. Williams, Booneville; Conrad Elsken, Subiaco; Lonoke—J. M. Gates, Lonoke; Madison—Lon Garrett, Huntsville; Marion—J. F. Carson, Yellville; Miller—Allen Winham, Texarkana; Mississippi—A. B. Fairfield, Blytheville; R. C. Rose, Osceola; Monroe—R. F. Milwee, Clarendon; Montgomery—W. E. Womble, Wom-

ble; Nevada—C. B. Andrews, Prescott; Newton—J. W. Moore, Jasper; Ouachita—W. W. Brown, Camden; Perry—P. L. Burrow, Perry; Phillips—Edwin Bevens, Helena; Pike—S. S. Langley, Murfreesboro; Poinsett—H. B. Thorn, Harrisburg; Polk—V. W. St. John, Mena; Pope—J. B. Ward, Russellville; Prairie—C. E. Gillespie, Hazen; H. R. Whyte, Des Arc; Pulaski—H. F. H. Eberts, Little Rock; Randolph—C. G. Johnson, Pocahontas; St. Francis—S. H. Mann, Forrest City; Saline—E. A. Parker, Benton; Scott—S. K. Duncan, Waldron; Searcy—A. T. Hudspeth, Marshall; Sebastian—W. H. Johnson, Fort Smith; Sevier—Dr. G. A. Henry, Horatio; Sharp—J. R. Metcalf, Evening Shade; Arthur Sullivan, Hardy; Stone—N. A. Longley, Mountain View; Union—Joseph Mahoney, El Dorado; Van Buren—W. B. Payne, Bee Branch; Washington—A. T. Lewis, Fayetteville; White—J. E. Mason, Searcy; Woodruff—R. T. Harville, Augusta; Yell—R. T. Compton, Wing.

SELECTIVE SERVICE LAW

Instead of relying upon volunteers for an army to serve overseas, Congress passed an act providing for the enrollment or registration of all male citizens between the ages of twenty-one and thirty-one years, inclusive. This act, known as the Selective Service Law, went into effect on May 19, 1917. June 5, 1917, was registration day, when 149,027 Arkansas men were registered. It is worthy of note that only 600 residents of the state between the required ages tried to avoid registration, and these were registered later, making 149,627—a 100 per cent registration.

Under the act of Congress, approved on August 31, 1918, the draft age was extended to include men forty-five years of age. According to the adjutant-general's report for the biennial period ending on December 31, 1920, the total number of Arkansas men registered under all laws was 199,857. Of these, 51,858 were inducted into the service of the United States under the Selective Service Law, not including 10,000 who were ready to report to training camps at the time of the armistice. In addition to these men, three regiments of the Arkansas National Guard were drafted into the service as units. The organization of these regiments at the time they were inducted into the service was as follows:

FIRST INFANTRY

Field and Staff—Col. Chas. D. James, Eureka Springs; Lieut.-Col. Joe S. Harris, Monticello; Maj. Ralph B. Andrews, Beebe; Maj. Charles S. Garrett, Hope; Maj. Robert H. Carruth, Warren; First Lieut. R. L. Woolfort, Jr., Dermott; First Lieut. Donald P. Muse, Junction City; First Lieut. Butler B. Toland, Nashville; Chap. Frank W. Gee, Little Rock.

Medical Detachment—Maj. William H. Abington, Beebe; Capt. Bernie F. Jungkind, Beebe; Capt. Walter H. Bruce, El Paso; First Lieut. Otto Christian, Springdale; First Lieut. Alexis F. Searle, Jonesboro.

Headquarters Company—Capt. Watson Reynolds, Little Rock.

Supply Company—Capt. Frank H. Smith, El Dorado; Second Lieut. Shelby Matthews, El Dorado.

Machine Gun Company—Capt. Harry W. Stewart, Camden; First Lieut.

Forrest Ward, Searcy; Second Lieut. Oscar D. Old, Camden; Second Lieut. Edwin S. Hamburg, Little Rock.

Company A—Capt. Ben F. Allen, Heber Springs; First Lieut. George W. Kelley, Heber Springs; Second Lieut. John H. Steward, Beebe.

Company B—Capt. John S. Underhill, Beebe; Second Lieut. Sam C. Herrin, Heber Springs.

Company C—Capt. John Abraham, Arkadelphia; First Lieut. James C. Wallis, Arkadelphia; Second Lieut. Rex Van Arsdel, Arkadelphia.

Company D—Capt. Dan H. Crawford, El Dorado; First Lieut. Harry M. Evans, Hope; Second Lieut. Harry W. Smith, Little Rock.

Company E—Capt. Louis W. Amis, Jr., Little Rock; First Lieut. Walter F. Powell, Little Rock; Second Lieut. Geo. A. Longstreth, Little Rock.

Company F—Capt. Samuel B. Scott, Prescott; Second Lieut. Jesse W. Barr, Hope.

Company G—Capt. Neil N. Snyder, Jonesboro; First Lieut. Robert L. Thornton, Jonesboro; Second Lieut. C. I. Warren, Jonesboro.

Company H—Capt. John G. Lewis, Marion; Second Lieut. Edward T. Tschabold, Marvell.

Company I—Capt. Claude H. Hawk, Warren; First Lieut. Claude C. Williams, Warren; Second Lieut. Claude C. Adams, Warren.

Company K—Capt. John B. Daniels, Dermott; First Lieut. John H. Morgan, Camden; First Lieut. Clell Dildy, Hope.

Company L—Capt. George M. Gilbert, Piggott; First Lieut. Olin S. Holcomb, Piggott; Second Lieut. Eugene R. Browning, Piggott.

Company M—Capt. Walton M. Brooks, Blytheville; First Lieut. James G. Tucker, Blytheville; Second Lieut. Fred B. Smith, Little Rock.

SECOND INFANTRY

Field and Staff—Col. Henry Stroupe, Paris; Lieut.-Col. William G. Ownbey, Springdale; Maj. W. C. Bradford, Little Rock; Maj. Charles R. Hall, Magazine; Maj. Thomas H. Rogers, Paris; First Lieut. James W. Dodson, Gravette; First Lieut. Walter C. Hall, Magazine; First Lieut. Harry C. Newman, Harrison; Chap. James L. Blakeney, Little Rock.

Headquarters Company—Capt. Elgan C. Robertson, Magazine.

Medical Detachment—Maj. Glen M. Holmes, Little Rock; Capt. Austin R. Hederick, Booneville; First Lieut. Henry E. Mobley, Blue Mountain; First Lieut. Walter G. Eberle, Fort Smith; First Lieut. Elbert H. Gowell, Little Rock; First Lieut. Paul G. Spencer, Little Rock.

Supply Company—Capt. Charles E. Scott, Fort Smith—Second Lieut. Luther B. Foster, Van Buren.

Machine Gun Company—Capt. Jacob A. Johnston, Ozark; First Lieut. Gilmer G. Dandridge, Paris; Second Lieut. Ray Martin, Austin; Second Lieut. Weston A. Price, Fort Smith.

Company A—Capt. Byron B. Brogdon, Springdale; First Lieut. Harry C. Hough, Springdale; Second Lieut. Charles S. Bouton, Springdale.

Company B—Capt. Lloyd C. Parsons, Fayetteville; First Lieut. Samuel B. Thorpe, Fayetteville; Second Lieut. Edward K. Hooper, Fayetteville.

Company C—Capt. Curtis A. Adney, Dardanelle; First Lieut. Oscar E. French, Dardanelle; Second Lieut. Haywood W. Hughes, Dardanelle.

Company D—Capt. Leon B. Powell, Fort Smith; First Lieut. Eugene G. Eberle, Fort Smith; Second Lieut. John R. Reichardt, Fort Smith.

Company E—Capt. Ernest C. Connelley, Paris; Second Lieut. Richard B. Willis, Fayetteville.

Company F—Capt. James E. Berry, Magazine; Second Lieut. Hence W. Irby, Magazine.

Company G—Capt. James H. A. Baker, Russellville; First Lieut. James A. Eberhardt, Russellville.

Company H—Capt. Louis C. Cargile, Bentonville; First Lieut. Richmond J. Gipple, Bentonville.

Company I—Capt. George A. Parker, Texarkana; First Lieut. Walter D. Felty, Texarkana; Second Lieut. Oden S. Williams, Little Rock.

Company K—Capt. Francis M. Edwards, Ozark; First Lieut. Richard C. Mikles, Magazine; Second Lieut. Sam C. Warner, Ozark.

Company L—Capt. Jeff Ellis, Ola; First Lieut. Thomas A. Gillespie, Ola; Second Lieut. Floyd E. Arnett, Ola.

Company M—Capt. Gordon Armitage, Harrison; First Lieut. Claude C. Alexander, Harrison; Second Lieut. Henry A. Crandell, Harrison.

THIRD INFANTRY

Field and Staff—Col. E. L. Compere, Hamburg; Lieut.-Col. R. M. Pearson, Little Rock; Maj. Birkett L. Williams, Hot Springs; Maj. Curtis J. Little, Blytheville; Maj. E. Ross Smith, Little Rock; First Lieut. Ray E. Pattarson, Walnut Ridge; First Lieut. Frank H. Fredeman, Little Rock; First Lieut. Oscar B. Robbins, Walnut Ridge; Chap. Pat Murphy, Arkadelphia.

Medical Detachment—Maj. James R. Wayne, Little Rock; First Lieut. Perry V. Wagley, Little Rock.

Headquarters Company—Capt. Charles F. Glaenzer, Little Rock.

Supply Company—Capt. J. P. Quinn, Little Rock; Second Lieut. Claiborne W. Conway, Little Rock.

Machine Gun Company—Capt. W. T. Jeffett, Helena; Second Lieut. Geo. H. Vineyard, Helena; Second Lieut. Robert K. Berry, Marion.

Company A—Capt. R. M. Hutchins, Augusta; First Lieut. Herman O. Price, Augusta; Second Lieut. Sam P. Apple, Augusta.

Company B—Capt. Thomas A. Jackson, Little Rock; First Lieut. Joseph Savage, Little Rock; Second Lieut. L. H. Gunne, Little Rock.

Company C—Capt. Philip E. Sisney, Hot Springs; First Lieut. W. R. Smith, Jr., Camden; Second Lieut. A. W. Griffee, Hot Springs.

Company D—Capt. Virgil A. Beeson, Morrilton; First Lieut. Gustav L. Putche, Morrilton.

Company E—Capt. Garland Hurt, Newport; First Lieut. Eugene Hirst, Newport; Second Lieut. Charles W. Sprigg, Newport.

Company F—Capt. William J. DeCamp, Batesville; First Lieut. Joseph R. Dennison, Batesville; Second Lieut. Omer T. Albright, Batesville.

Company G—Capt. Marion H. Holland, Walnut Ridge; First Lieut. Earl Mitchell, Walnut Ridge; Second Lieut. Joe S. Decker, Ravenden Springs.

Company H—Capt. J. C. Shane, Paragould; First Lieut. John T. Batten, Paragould; Second Lieut. Albert H. Porter, Paragould.

Company I—Capt. Jay Toland, Nashville; First Lieut. Ben Sain, Nashville.

Company K—Capt. Wade Kitchen, Magnolia; First Lieut. Joe L. Davis, Jr., Magnolia.

Company L—Capt. Howell Brewer, Clarksville; First Lieut. Frank C. May, Clarksville; Second Lieut. J. W. Hendricks, Clarksville.

Company M—Capt. Byron Atkinson, Fordyce; First Lieut. Lawrence Banks, Fordyce; Second Lieut. W. E. B. Lockridge, Fordyce.

ARKANSAS AMMUNITION TRAIN

Field and Staff—Lieut.-Col. R. H. Carruth, Warren; Maj. Sam D. Crawford, El Dorado; Maj. Birkett L. Williams, Hot Springs; Capt. John Johnson, Little Rock; First Lieut. Jeff Davis, Little Rock; First Lieut. Johannes Hoebee, Little Rock.

Truck Company No. 1—First Lieut. Patrick J. Keegan, Little Rock.
Truck Company No. 2—First Lieut. Morse K. Upshaw, Helena.
Truck Company No. 3—First Lieut. Alvin J. Goldstein, Fort Smith.
Truck Company No. 4—First Lieut. James Pollard, Stuttgart.
Truck Company No. 5—First Lieut. Ernest N. Ahlfeldt, Stuttgart.
Truck Company No. 6—First Lieut. Nicholas Dozier, Fort Smith.
Truck Company No. 7—First Lieut. Chester J. Hartman, Mammoth Spring.
Truck Company No. 8—First Lieut. George A. Parker, Texarkana.
Truck Company No. 9—First Lieut. Gerald L. Folbre, Forrest City.
Truck Company No. 10—First Lieut. Henry Roberts, Pine Bluff.
Truck Company No. 11—First Lieut. Thomas DeLaney, Forrest City.
Truck Company No. 12—First Lieut. Roy Thompson, Yellville.

AMBULANCE COMPANY NO. 1

First Lieut. Allen C. Prichard, Hot Springs; First Lieut. John G. Cullins, Junction City; First Lieut. Sidney R. Crawford, Little Rock.

FIELD HOSPITAL NO. 1

Maj. Homer Scott, Little Rock; First Lieut. Perry V. Wagley, Little Rock; First Lieut. Robert H. Bryant, Bauxite; First Lieut. Rector P. Sheets, Little Rock; First Lieut. Nim L. Barker, Harrison; First Lieut. Jerome Wright, Russellville.

The First Arkansas Infantry became the One Hundred and Fifty-third Regiment in the National Army; the Second Infantry became the One Hundred and Forty-second Field Artillery; and the Third Infantry formed the basis of the One Hundred and Fifty-fourth Infantry and the One Hundred and Forty-first Machine Gun Battalion. These regiments were all attached to the Thirty-ninth Division, which was organized at Camp Beauregard, Louisiana, in September, 1917. The first unit of the division arrived in France on August 12, 1918, and the last on September 12, 1918. It was then sent to the St. Florent

area, southwest of Bourges, where it was designated as a replacement division. In November it moved to St. Aignan. There several of the units were transferred to combat divisions, though the Thirty-ninth was not on the firing line as a division. The division returned to the United States in December, 1918. During service it was commanded first by Maj.-Gen. Henry C. Hodges, the assigned commander, and Brig.-Gen. Ira A. Haynes, temporary commander.

CAMP PIKE

The declaration of war in April, although not unexpected by many, found the country in a state of military unpreparedness. The selective service act was the first step toward raising an army, but quarters had to be provided for the organization and training of the soldiers. As soon as it became known in Little Rock that the War Department intended to establish a number of training camps, or cantonments, George Firmin, manager of the Board of Commerce, visited General Pershing at San Antonio, Texas, to secure his cooperation in having one of the cantonments located near the city. Upon his return the Army Post Development Company was organized, with a capital stock of $300,000. This company, composed of the progressive business men of Little Rock and North Little Rock, bought and consolidated a number of small farms and offered the Government 3,000 acres of land in fee simple for the cantonment. In addition to this, indeterminate leases on 10,000 acres adjoining were obtained and turned over to the Government.

On June 11, 1917, the War Department announced that Little Rock had been selected as one of the sites for training camps and that $3,500,000 had been appropriated for the construction of the necessary buildings, etc. The plans included four miles of railroad, seven miles of sewer and a system of waterworks sufficient to supply 65,000 men. On the 23d the contract was awarded to James Stewart & Company, of New York and St. Louis, and Maj. John R. Fordyce was selected to superintend the work as construction quartermaster. The cantonment was named Camp Pike, for Brig.-Gen. Zebulon M. Pike, who, as a lieutenant in the regular army, explored the Mississippi River to its source soon after the Louisiana Purchase, and later led an expedition into the Southwest, discovering and naming Pike's Peak in Colorado. He was killed on April 27, 1813, while leading an assault on York (now Toronto), Canada.

Major Fordyce opened an office in the Moore & Turner Building, but when actual work started on July 5, 1917, he removed to the camp, where he could keep in closer touch with operations. On September 1, 1917, the date named in the contract, he turned Camp Pike over to the Government, with everything ready for business.

EIGHTY-SEVENTH DIVISION

Upon the completion of Camp Pike, Maj.-Gen. Samuel D. Sturgis assumed command and began the work of organizing the Eighty-seventh Division, which was composed of drafted men from Alabama, Arkansas, Louisiana and Mississippi. The division was made up of the One Hundred and Seventy-third and One Hundred and Seventy-fourth Infantry brigades, each containing two regi-

ments and a machine gun battalion; the One Hundred and Sixty-second Field Artillery Brigade, consisting of two light and one heavy field artillery units and a trench mortar battery; the Three Hundred and Thirty-fourth Machine Gun Battalion; the Three Hundred and Twelfth Engineers; the Three Hundred and Twelfth Field Signal Battalion and the division trains.

After providing detachments for replacements abroad, the division was reorganized with recruits from other camps. The division was officered largely by graduates of the officers' training camp which had been established at Fort Logan H. Roots soon after war was declared. Upon being transferred to Camp Dix, New Jersey, the Eighty-seventh was increased by the addition of 20,000 drafted men from New Jersey and New York. The first detachment of the division arrived in France on August 28, 1918, and the last on September 16, 1918. Headquarters were established at Pons (Charente Inferieure) and the organizations were distributed through the base and intermediate sections, but the division did not lose its indentity as a combat unit. When the armistice was signed it was under orders for service at the front, and the headquarters troops were actually in movement. On January 10, 1919, the division sailed from St. Nazaire and arrived in New York Harbor on the 22d.

When the Eighty-seventh Division left Camp Pike, the camp was used as a replacement training center until the fall of 1919, when the Third Division, Army of Occupation, arrived from Germany, with Brig.-Gen. E. M. Lewis in command. General Lewis then remained in command of the camp until the order for its abandonment was issued by the War Department on July 26, 1921.

AVIATION FIELD

In the early fall of 1917 the people of Pulaski County offered a site for an aviation school. The people of Lonoke agreed to furnish a tract of 960 acres, rent free, and this offer was accepted by the Government on November 19, 1917. The Lonoke Chamber of Commerce further agreed to construct a railroad track over three-quarters of a mile long to connect the camp with the Rock Island Railroad. Following the custom of the War Department of naming aviation schools or camps for flyers killed in service, the Lonoke camp was named for Capt. Melchior M. Eberts, who was killed while making an exhibition flight at Columbus, New Mexico, in company with Capt. James L. Dunsworth, on May 8, 1917. Captain Eberts was a son of H. F. H. Eberts, of Little Rock. He had been trained at West Point and was perfecting himself in aviation when he met with his fatal accident. His commission as captain was granted on the day he met his death. He was buried in the Government cemetery at West Point, and the Little Rock Post of the American Legion is named in his honor.

At the time the Government accepted the offer of the Lonoke people, plans were prepared for fifty buildings, including twelve hangars for machines, barracks for 1,082 officers and students, etc., and within a short time a force of 2,000 workmen was employed in the construction of these buildings. Twenty-three young men of Arkansas were among the first to enter this aviation school to prepare themselves for the air service abroad, but the armistice was signed before any of them were actually inducted into service. In addition to the aviation field at Lonoke, the Government expended about one million dollars

on an aviation warehouse and the development of the picric acid plant at Little Rock, though neither was completed in time to be of service before the armistice was signed on November 11, 1918.

WAR STATISTICS

The three regiments of the Arkansas National Guard drafted into the service as units contained 110 officers and 6,315 enlisted men. These are included in the first item in the following table, which shows the whole number of men furnished by the state for actual service:

In the United States army	66,437
In the navy and marine corps	5,359
In the coast guard	66
Total	71,862

The casualties among the Arkansas troops while in service with the American Expeditionary Forces in France were as follows:

Killed in action	292
Died of wounds	112
Wounded in line of duty	1,751
Died of disease	417
Accidental deaths	16
Committed suicide	1
Drowned	2
Murdered	3
Died from other known causes	8
Cause of death undetermined	27
Captured	24
Missing (presumed to be dead)	7
Total	2,660

The above list of casualties does not include those who died in camps in the United States. The total number of Arkansas men who died while in service, at home and abroad, has been placed at 2,183. Besides the 71,862 men in actual military service, 200 Arkansas men were enrolled for work in the shipyards, and, according to William T. Doonan, special representative of the Bureau of War Risk Insurance, 1,389 Arkansas women were actively engaged in war work of some kind that entitled them to carry insurance. The average amount of Government insurance carried by these men and women was $8,746, or a total of $641,673,246. A large number of men and women of the state volunteered for work overseas. Those women who remained at home were organized under the leadership of Mrs. Frauenthal, of the State Council of Defense, for civilian relief work, the making of hospital supplies, etc.

THE FINANCIAL SIDE

W. L. Hemingway, of the State Council of Defense, was made state chairman for the Liberty Loan campaigns. Following is the result of the campaign in each of the four Liberty Loans and the Victory Loan of 1919:

	Quota	Subscription
First loan	$14,967,601	$ 5,624,150
Second loan	11,074,000	13,572,950
Third loan	15,351,550	22,714,450
Fourth loan	23,842,000	26,657,650
Victory loan	20,541,150	20,488,600
Total	$85,776,301	$89,057,800

The failure of Arkansas to subscribe the full amount of the first quota can be explained through the fact that the organization of the state was not complete. It will be noticed in the totals that Arkansas "went over the top" in all loans with the handsome surplus of more than two million dollars, thus wiping out the failure in the first loan. In the work of soliciting subscriptions to the several loans the women of the state played a conspicuous part.

At the beginning of the year 1917 the number of Red Cross organizations in the state was 32,196. J. R. Vinson, of the State Council of Defense, was made state chairman of the Red Cross work. In the two drives for money for the use of the Red Cross the sum of $1,417,401.66 was collected, and at the close of the year 1918 there were 106,616 Red Cross members in the state.

About the middle of November, 1917, Moorhead Wright, of the State Council of Defense, was appointed by the Secretary of the Treasury as state director for the sale of war savings stamps. As outlined by the Government, $2,000,000,000 in war savings stamps were to be sold during the period ending on December 31, 1918. Thrift stamps, of the denomination of 25 cents, were also to be sold, convertible into war saving stamps of $5 each, to yield the holder 4¼ per cent interest. Each state was assigned a quota, according to population, that of Arkansas being $35,529,100. In organizing his campaign Mr. Wright appointed a state executive committee, at the head of which was Governor Charles H. Brough, and the state was divided into seven districts, over each of which was a group director. Much educational work had to be done in order that the people might understand the purpose of the war savings stamps. To this end the school teachers and traveling salesmen were organized. The work was progressing well when the armistice came and had the effect of causing a cessation of all interests in civilian war activities. The result was that at the close of the year about eighteen million dollars' worth of stamps had been sold in the state.

In two drives for funds the Young Men's Christian Association raised $228,448.80, with which 230 men were trained for work with the army. Nearly all of these men went abroad. Several of them were either wounded or gassed and all endured the hardships of military service for which they had volunteered. Seven welfare agencies—the Young Men's Christian Association, the

Young Women's Christian Association, the Salvation Army, the Jewish Welfare Board, the National Catholic War Council, the Camp Community Service and the American Library Association—made a campaign for funds in 1918. The allotment for Arkansas was $780,000. The subscriptions amounted to $1,100,000, about 95 per cent of which was collected. With this money many comforts were provided for the men in the field.

The State Council of Defense furnished the necessary funds to maintain the Volunteer Medical Service Corps, of which Dr. William R. Bathurst was secretary. The executive committee of the corps was composed of the following physicians: Drs. C. P. Meriwether, W. B. Hughes and William R. Bathurst, of Little Rock; C. M. Lutteroh, of Jonesboro; Leonidas Kirby, of Harrison; J. G. Eberle, of Fort Smith; J. C. Wallis, of Arkadelphia, and R. C. Dorr (chairman), of Batesville. Nearly every physician in the state applied for membership. A number of doctors, some of whom were beyond military age, volunteered for service overseas and were to be found in the hospitals of France until the close of the war.

THE AMERICAN LEGION

This organization of soldiers, sailors and marines who fought in the World war, dates its beginning from February 16, 1919, when twenty men met in Paris and discussed the propriety of forming a veterans' association. These twenty men sent invitations to every overseas organization to send representatives to a meeting in Paris on March 15-17, 1919. About one thousand delegates attended the March meeting at which a constitution was outlined, an executive committee elected, and the name of "American Legion" adopted. Another meeting was held on April 7, 1919, when the plan of organization was completed and a committee of fifteen chosen to begin the work of organization in the United States. The first meeting in this country was held at St. Louis, Missouri, May 8-10, 1919, and the first annual convention was held at Minneapolis, Minnesota, the following September. At that convention a constitution was adopted, the preamble of which sets forth the objects of the Legion as follows:

"To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a 100 per cent Americanism; to preserve the memories and incidents of our association in the great war; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness."

Each state constitutes a department, and local organizations are called posts. The posts in Arkansas at the beginning of the year 1922 were as follows: Melchoir M. Eberts No. 1, Little Rock; William F. Slemons No. 2, Monticello; Columbia No. 3, Magnolia; Forrest City No. 4, Forrest City; Marianna No. 5, Marianna; Meeks-Johnston No. 6, Pochahontas; W. T. Cokley No. 7, Lake Village; Wilson No. 8, Wilson; Russ D Wilson No. 9, Eureka Springs; Roy Kinard No. 10, El Dorado; Malvern No. 11, Malvern; Leslie Huddleston No. 12, Hope; Warren Townsend No. 13, Hot Springs; Harrisburg No. 14, Harrisburg; Morrel

B. Jackson No. 15, Calico Rock; Theodore Campbell No. 16, Conway; Adams Jackson No. 17, Paragould; Frank Fried No. 18, Mena; Benton No. 19, Benton; Riggs-Hamilton No. 20, Russellville; Pickett No. 21, Jonesboro; Lee Bunch No. 22, Clarksville; John Schisler No. 23, Weiner; Dud Cason No. 24, Blytheville; Lee Caudle No. 25, Gregory; Van Buren No. 26, Van Buren; Lynn Shelton No. 27, Fayetteville; Collins-Reeves No. 28, Ola; Siloam Springs No. 29, Siloam Springs; Jenkins' Ferry No. 30, Sheridan; Victor Ellig No. 31, Fort Smith; Allen Hearin No. 32, Pine Bluff; Sons of Liberty No. 33, Lepanto; Loyd Stout No. 34, Atkins; Truman No. 35, Truman; DeValls Bluff No. 36, DeValls Bluff; Roy Jason Fish No. 37, Star City; Piggott No. 38, Piggott; Luther Bradley No. 39, Morrillton; Abner Blankenship No. 40, Monette; Richard L. Kitchens No. 41, Helena; Kenneth Carlton No. 42, Stamps; John M. Reed No. 43 (colored), Little Rock; Roy Allen No. 44, Harrison; Robert W. Jackson No. 45, Camden; John Tolleson No. 46, Waldron; Neil Griffin No. 47, Newport; Daniel Harder No. 48, Stuttgart; Alfred Ray Hinkle No. 49, Mountain View; Nevada No. 50, Prescott; Dennie Estes No. 51, Yellville; Lucian Williams No. 52, Newman; Hale No. 53, Rison; Charles E. Brown No. 54, De Queen; Forrest-Stone No. 55, Mammoth Spring; Garland No. 56, Rubicon; Arkadelphia No. 57, Arkadelphia; Miller No. 58, Texarkana; Treadwell No. 59, Marshall; Marvin Watson No. 60, Walnut Ridge; Lloyd King No. 61, Gurdon; Clarendon No. 62, Clarendon; Bateman No. 63, Ozark; Saxton-Willis No. 64, Heber Springs; Mont Poe No. 65, Ravenden Springs; Ted Cobbs No. 66, Wynne; Bishop L. Gage No. 67, Corning; Claude Sims No. 68, Brinkley; Garner-Hudson No. 69, Dardanelle; Nashville No. 70, Nashville; Bill Daniels No. 71, Hatfield; Ray Martin No. 72, Lonoke; Quinn-Trent No. 73 (colored), Fort Smith; Ashdown No. 74, Ashdown; Roy Gardner No. 75, Hamburg; Lusby No. 76, Danville; Nathan B. Short No. 77, Stephens; Claude Bradley No. 78, Fordyce; Claude E. Jaynes No. 79, McGehee; Washington Lee No. 80, Lewisville; James Currin Harris No. 81, Bigelow; Herbert B. Martin No. 82, Warren; Harris No. 83, Parkin; Blevins No. 84, Blevins; Tom Rash No. 85, Marked Tree; Mineral Springs No. 86, Mineral Springs; Orville A. Smiley No. 87, Holly Grove; Robert D. Darr No. 88, Marvell; Holland No. 89, Bono; Joe Blake Collins No. 90, Shirley; Garner No. 91, Beebe; Carl Doster No. 92, Kingsland; Jasper No. 93, Jasper; King Belser No. 94, Arkansas City; Allen No. 95, Pangburn; Cavitt-Depew No. 96, Marmaduke; Robert Coleman No. 97, Newark; Otis Wood No. 98, Cotton Plant; Gordon Gale No. 99, North Little Rock; William M. Batjer No. 100, Rogers; Billy Presley No. 101, Donaldson; Lawrence W. McGraw No. 102, Gillett; James W. Richardson No. 103, Booneville; McRae No. 104, McRae; Fish No. 105 (University of Arkansas), Fayetteville; Herman Armstrong No. 106, Searcy; Edward J. Mason No. 107, Prairie Grove; Fate Camp No. 108 (State Agricultural School), Magnolia; Magazine No. 109, Magazine; Luke Box No. 110, Hazen; H. C. H. No. 111, Crossett; Howell No. 112, Grubbs; Earl Rogers No. 113, Judsonia; Batesville No. 114, Batesville; Compton-Hale No. 115, Altus; Leonard Finney No. 116, Bald Knob; Tom Weeks No. 117, Womble; Stokes-Cravens No. 118, Hughes; Burson-Bethell No. 119, Des Arc; William R. Coleman No. 120, Parkdale; Baldwin-Bradley No. 121, Paris; James Craddock No. 122, England; Hollie-Layman No. 123, Lafe; Burnett No. 124, Branch; Doyle No. 125, Aplin; Kelly Gage No. 126, Horatio; Wilson Burnett No. 127, Eudora;

White-Alley No. 128, Mountain Home; Prince-Rhodes No. 129, McCrory; Mountain No. 130, Bentonville; Paul Dickerson No. 131, Black Oak; Martin-Dixon No. 132, Hattieville; Pat Petty No. 133, Carlisle; Thomas W. Harris No. 134, Willow; Douglas Dooley No. 135, Glenwood; Raymond Stover No. 136, Dermott; Madison No. 137, Huntsville; Homer Crumb No. 138, Peach Orchard; Clarence E. Beely No. 139, Springdale; Roy Peters No. 140, Midland; Macy Langle No. 141, Wiseman; Little Rock College No. 142, Little Rock; Dolphus Barker No. 143, Delight; Wallace No. 144, Bradford; Lyndon L. Casey No. 145, Mansfield; Walter E. Murphy No. 146, Hot Springs; Shoulder Malone No. 147, Dierks; Lee Solomon No. 148, Truman; Glen H. Counts No. 149, Mulberry; Croff-Grider No. 150, Osceola.

PART VII

LOCAL HISTORY

CHAPTER XLI

COUNTIES—ARKANSAS TO CLEVELAND

ARKANSAS COUNTY—ORIGINAL BOUNDARIES—ASHLEY COUNTY—BAXTER COUNTY—BENTON COUNTY—BOONE COUNTY—BRADLEY COUNTY—CALHOUN COUNTY—CARROLL COUNTY—CHICOT COUNTY—CLARK COUNTY—CLAY COUNTY—CLEBURNE COUNTY—CLEVELAND COUNTY—WHEN EACH WAS ORGANIZED—FIRST COUNTY OFFICERS—TOWNSHIPS—TRANSPORTATION FACILITIES—TOWNS AND VILLAGES—POPULATION, ETC.

When Arkansas Territory was established in 1819, there were five organized counties within its limits, viz: Arkansas, Clark, Hempstead, Lawrence and Pulaski. These counties had been created by the Territorial Legislature of Missouri, and with the Indian lands constituted the entire territory. Since that time the Indian title to the lands has been extinguished, the unorganized portions of the state have been settled and new counties created, until in 1921 there were seventy-five. In this chapter and the five succeeding chapters is given a brief historical sketch of each county, arranged in alphabetical order.

ARKANSAS COUNTY

By the act of December 31, 1813, the Territorial Legislature of Missouri provided that: "All that portion of the territory bounded north by the south line of the County of New Madrid; east by the main channel of the Mississippi River; south by the thirty-third degree of north latitude or northern boundary of the State of Louisiana; westwardly by the western boundary line of the Osage purchase and by a line to commence upon the River Arkansas where the boundary line of the Osage purchase intersects the same; thence in a direct line to the main source of the Washita; thence south to the northern boundary line of the State of Louisiana or thirty-third degree of north latitude, shall compose a county to be called and known by the name of the County of Arkansas."

The western boundary line of the Osage purchase ran due north from the Arkansas River about twenty miles east of Fort Smith. The line from that point on the Arkansas to the main source of the Ouachita angled a little to the westward. By tracing upon a map the bounds of Arkansas County, as it was at first established, it will be seen that it embraced about nine-tenths of the present state. The other four counties above mentioned, as well as some formed at a later date, were all taken from Arkansas, which might appropriately be called the "Mother of Counties."

The Arkansas County of the present day—all that is left of the imperial county of 1813—is situated in the eastern part of the state and has an area of 1,000 square miles. It is bounded on the north by Prairie and Monroe coun-

ties; on the east by Monroe, Phillips and Desha; on the south by Desha, and on the west by Jefferson. It is separated from Monroe and White counties by the White River, and from Jefferson and Desha counties by the Arkansas.

The first white settlement within the present limits of the State of Arkansas was made at Arkansas Post, in the present Arkansas County, in the spring of 1686 by some of the Frenchmen of Tonti's expedition. This settlement has already been described. The act creating the Territory of Arkansas designated Arkansas Post as the seat of government. At that time there were perhaps a dozen small settlements besides Arkansas Post. Acting Governor Robert Crittenden appointed Eli J. Lewis Circuit Court clerk; Hewes Scull, sheriff; O. H. Thomas, coroner. These were the first county officers to be appointed under the territorial government of Arkansas. The first term of the Circuit Court was held on Monday, November 1, 1819, Judge James W. Bates presiding.

Twenty-two persons were summoned by the sheriff to act as grand jurors, viz: Robert Allgore, Daniel H. Baldwin, Jacob Barkman, Peter H. Bennett, Patrick Cassidy, J. H. Cummins, James Curren, Bartley Harrington, John Harrington, Samuel Lemmons, John McCartney, Shiloh Mather, Frederic Notrebe, Richmond Peeler, James S. Polet, Samuel H. Rutherford, James Scull, Harold Stillwell, Joseph Stillwell, John Taylor, John Weane and James Young. These names are of interest because they show who were among the prominent settlers of more than a century ago.

On November 20, 1819, the first newspaper in Arkansas, the Arkansas Gazette, began its career at Arkansas Post. The greatest battle of the Civil war in Arkansas was fought in Arkansas County in January, 1863, when Fort Hindman, at Arkansas Post, was captured by the Federal forces under Generals McClernand and Sherman and a fleet of gunboats commanded by Commodore Porter.

Arkansas County is divided into seventeen townships, to wit: Arkansas, Barton, Bayou Meto, Brewer, Chester, Crockett, Garland, Gum Pond, Henton, Keaton, La Grue, McFall, Mill Bayou, Morris, Point de Luce, Prairie and Stanley. The principal towns are Almyra, Arkansas Post, De Witt (the county seat). Gillett, Humphrey, St. Charles and Stuttgart. (See chapters on Incorporated Towns.) Old maps show a place called Beards Town, located on the Arkansas River a few miles above Arkansas Post, but it has long since disappeared. By the act of October 31, 1829, Benjamin L. Haller, James Maxwell and Hewes Scull were appointed commissioners to accept donations and levy a tax to build a courthouse and jail. The buildings were erected at Arkansas Post, which remained the county seat until 1855, when it was removed to De Witt.

Railroad transportation is furnished by the St. Louis Southwestern, the main line of which crosses the northwestern part, with a branch from Stuttgart to Gillett. The population in 1920 was 21,483, an increase of 5,380 over the census of 1910.

ASHLEY COUNTY

Ashley County is situated in the southeastern part of the state. It is bounded on the north by Drew County; on the east by Chicot County; on the south by the State of Louisiana, and on the west by the counties of Bradley and Union. Its

area is 940 square miles. The county was created by the act of November 30, 1848, from part of Drew County, and was named for Chester Ashley, United States senator from Arkansas, whose death occurred in April before the county was established. The first county officers were: W. E. Willis, county judge; G. W. Worthington, clerk; W. M. Ducker, sheriff; J. N. Thompson, treasurer; D. D. Sims, surveyor; John Hinkson, coroner.

County and circuit court were held at the house of Isaac Denson, near the present Village of Fountain Hill in the northern part of the county, until October, 1849, when Thomas C. Denson, George N. Denton and John W. P. Doyle were appointed commissioners to locate a permanent county seat. They selected a site near the center of the county and there laid out the Town of Hamburg, which is still the seat of justice.

Among the early settlers were: Isaac and Thomas C. Denson, who located near Fountain Hill in 1842; William Daniels, who came from Alabama; Elijah Kirkpatrick, from North Carolina, and William S. Willis, who was elected the first county and probate judge. The following story is told of Judge Willis. While holding court at the house of Isaac Denson, W. M. Harrison, afterward one of the associate justices of the Supreme Court, made an elaborate argument to sustain some particular point of law. When he had finished the judge mildly asked: "Mr. Harrison, that is the law, is it?" Harrison replied that it was. "Then hold up your hand and swear to it," ordered the judge. Harrison protested that such a proceeding was without precedent, but the judge refused to admit his plea because he would not take the required oath.

Ashley is an agricultural county. The principal crops are cotton, corn, clover, alfalfa, wheat, peanuts, potatoes and fruits. The county is divided into the following townships: Banner, Bayou, Bearhouse, Beech Creek, Carter, De Bastrop, Egypt, Elon, Extra, Longview, Marie Saline, Mill Creek, Montrose, Portland, Prairie, Union, White and Wilmot. The incorporated towns are Crossett, Hamburg, Parkdale, Portland and Wilmot. Fountain Hill, Mist, Montrose, Morrell and Snyder are thriving villages. Ample transportation facilities are afforded by two divisions of the Missouri Pacific, the Arkansas & Louisiana Midland, and the Chicago, Rock Island & Pacific.

The first courthouse was replaced by a new one in 1905, and this building, with practically all the county records, was destroyed by fire on July 14, 1921. The original cost of the structure was about $100,000 and it was insured for $33,000. In 1920 the population of the county was 23,410.

BAXTER COUNTY

By the act of March 24, 1873, parts of Fulton, Izard, Marion and Searcy counties were taken to form a new county, which was named Baxter, in honor of Elisha Baxter, then governor of the state. It is one of the northern tier of counties and is bounded as follows: On the north by the State of Missouri; on the east by Fulton County; on the south by Stone, and on the west by Marion and Searcy counties. Its area is 586 square miles. The elevation varies from 800 to 1,400 feet. The agricultural products are alfalfa, corn, oats, wheat and fruits. Zinc, manganese, marble and phosphate are found in the county. Lumbering is an important industry.

Baxter is divided into sixteen townships, to wit: Bayou, Big Flat, Buckhorn, Buford, Greenwood, Grover, Independence, Logan, Lone Rock, Matney, Mill, Mountain Home, North Fork, Pigeon, Union and Whiteville. When the county was created Mountain Home was designated as the temporary county seat and was afterward made the permanent county seat. It is centrally located, was incorporated on April 16, 1888, and in 1920 reported a population of 492. It has a canning factory, two weekly newspapers, electric light, a sawmill, a bank, a baseball bat factory and a number of mercantile establishments. A Baptist college is located here. The nearest railroad station is Cotter, on the White River Valley division of the Missouri Pacific, which runs along the north bank of the White River and is the only railroad in the county.

Besides Mountain Home, Cotter, Gassville and Norfork are incorporated towns. Cotter is situated in the southwestern part on the White River. It has a bank, an ice factory, large lumbering interests and in 1920 reported a population of 884. Gassville is located about six miles southwest of Mountain Home, with a population of 191 in 1920. Norfork is situated at the mouth of the north fork of the White River, from which it takes its name. It has several sawmills, a weekly newspaper, a telephone exchange and general stores. Amos, Big Flat, Henderson and McPherson are the principal villages. The population of the county in 1920 was 10,216.

BENTON COUNTY

Situated in the extreme northwest corner of the state is Benton County, which was created by the act of September 30, 1836, out of territory taken from Washington County. It is bounded on the north by the State of Missouri; on the east by Carroll and Madison counties; on the south by Washington County, and on the west by the State of Oklahoma. It has an area of 876 square miles and its elevation varies from 1,000 to 1,500 feet. The county was named for Thomas H. Benton, for many years United States senator from Missouri. The first county officers were: George P. Wallace, judge; John B. Dixon, clerk; Gideon Pace, sheriff; Henry C. Hastings, treasurer; A. McKissick, surveyor; Henry Ford, coroner.

Adam Batie is credited with being the first white settler in Benton County. In 1830 John McPhail and his father located near Batie. Martin Mays soon afterward located where the Town of Maysville now stands and William B. Keith settled near by. William Reddick settled about the same time at the place later known as Elkhorn. Other pioneers were the Rollers, the Paschals, the Paces, the Fords, James Jackson and George P. Wallace, the first county and probate judge.

In accordance with the act creating the county, the first term of the County Court was held at the residence of George P. Wallace. An election was held for commissioners to locate a permanent seat. Robert Cowen, Thomas Swaggerty and Robert Weaver were elected, and on November 7, 1837, reported that they had selected "the south half of the southeast quarter of Section 30, Township 20 north, Range 30 west, * * * in accordance with the powers vested in them as commissioners, proceeded to lay off a town thereon, leaving a square and 136 lots, and have named and called said town Bentonville."

The first courthouse was a small hewed log building, erected in 1837. A two-story brick was built two or three years later and served until the Civil war, when it was burned. The present courthouse was erected in 1873 at a cost of $60,000, but has since been remodeled. The battle of Pea Ridge, the first engagement of the Civil war in Arkansas, was fought near Bentonville in March, 1862.

Benton County is divided into the following townships: Anderson, Apple Glenn, Ball, Batie, Big Spring, Brightwater, Cherokee, Colville, Decatur, Dickson, Eldorado, Esculapia, Felker, Flint, Garfield, Garland, Gentry, Hico, Hoover, Logan, Mason Valley, Mount Vernon, Osage, Pine Log, Roller Ridge, Round Prairie, Sugar Creek, Sulphur Springs, Wager, Wallace, Walnut, War Eagle, Washington and Yell.

The county is well supplied with towns and villages, of which the larger places are treated in another chapter. Centerton, situated about five miles west of Bentonville, is an incorporated town with a population of 212 in 1920. It has a bank, a canning factory, a fruit evaporator, a sawmill, a vinegar factory, general stores, a telephone exchange and a public school. Decatur, on the Kansas City Southern Railroad in the western part of the county, was incorporated a few years ago and in 1920 had a population of 424. It has a bank, two canning factories, a broom factory, a weekly newspaper, a fruit evaporator and is a trading and shipping point for a rich agricultural district. Gravette, at the junction of the Kansas City Southern and St. Louis & San Francisco railroads, was incorporated on January 4, 1899. It has a flour mill, a sawmill, a weekly newspaper, a bank, a nursery, an electric light plant, several good stores, a canning factory, a vinegar factory and some minor industries. The population in 1920 was 754. Lowell, a station on the St. Louis & San Francisco Railroad, is an incorporated town with a population of 227. Its principal industries are a flour mill, a canning factory and fruit evaporator, a sweet potato curing house and a bank. Springtown, also incorporated, is located in the southwestern part of the county, on the Kansas City & Memphis Railroad (not now operated), and in 1920 reported a population of 200. Sulphur Springs, near the northern boundary on the Kansas City Southern Railroad, was incorporated on August 15, 1890. It has a bank, a weekly newspaper, an electric light plant, a telephone exchange, a canning factory, a sawmill, several stores, a public school and a population of 470. Bloomfield, Brightwater, Garfield, Hiwassee, Maysville, Osage Mills, Pea Ridge and War Eagle are the principal villages. Gentry, on the Kansas City Southern Railroad in the western part, has a bank, an electric light plant, a weekly newspaper, a flour mill, fruit evaporators and a population of 724.

Farming, fruit growing and dairying are the principal occupations. The St. Louis & San Francisco and the Kansas City Southern railroads supply transportation facilities to practically all parts of the county. The population in 1920 was 36,253.

BOONE COUNTY

On April 9, 1869, Gov. Powell Clayton approved an act of the Legislature creating the County of Boone out of territory taken from the counties of Carroll

and Madison. It is one of the northern tier of counties, has an area of 608 square miles, and is bounded as follows: On the north by the State of Missouri; on the east by Marion County; on the south by Searcy and Newton counties, and on the west by Carroll County. Its elevation above sea level ranges from 1,000 to 1,800 feet. The county was named for Daniel Boone, the celebrated Kentucky pioneer and Indian fighter. The first county officers were: W. W. Jernigan, judge; N. B. Crump, clerk; J. H. Williams, sheriff; David Sentry, treasurer; W. F. McCormick, assessor; S. J. Craul, coroner.

The first sessions of the county court were held at the house of H. W. Fick, until a permanent county seat was established at Harrison, a little southeast of the center of the county. Boone is divided into the following townships: Batavia, Bear Creek, Bellefonte, Blythe, Bryan, Carrollton, Crooked Creek, Elixir, Elmwood, Ewing, Gaither, Harrison, Jackson, Jefferson, Lee, Long Creek, Olvey, Omaha, Prairie, Sugarloaf, Summit, Washington, Young and Zinc.

The last named township takes its name from the zinc mines within its limits. Lead, manganese and good building stone are also produced in the county. Farming and stock raising are important industries. The principal crops are corn, wheat, hay of different varieties and fruits. Two railroads traverse the county—the Missouri & North Arkansas and the White River Valley division of the Missouri Pacific. They are almost parallel and cross the county from a northwest to southeast direction. The Missouri & North Arkansas ceased operations on August 1, 1921.

Harrison is the only town in the county with a population of more than 1,000. Alpena, near the western boundary, is an incorporated town with a population of 250. It has a bank, a canning factory, a sawmill, a hub and spoke factory and is a trading center for a considerable district. Lead Hill, in the northeastern part, takes its name from the lead mines in the vicinity. It is also incorporated, has a bank, a flour mill, general stores, etc., and in 1920 reported a population of 218. Zinc, on the Missouri Pacific Railroad, near the eastern border, Keener and Omaha, on the same line of railway, Olvey, Hill Top and Valley Springs are thriving villages. The population of the county in 1920 was 16,098, a gain of 1,780 in ten years.

BRADLEY COUNTY

This is one of the southern counties. It was created by the act of December 18, 1840, from part of Union County. It is bounded on the north by Cleveland County; on the east by Drew and Ashley; on the south by Ashley and Union, and on the west by Calhoun. Its area is 659 square miles. The surface is slightly undulating and is well watered by the Saline River, Moro and Eagle Creeks. Corn, cotton, grasses, peanuts, potatoes and fruits are the principal agricultural products.

Among the early settlers were Charles H. Seay, Isaac Pennington, Aaron Johnston, Bryant Gardner, Dr. John T. Caleen, Alexander Beard, Frank Berry, Henry Wise, Jacob Pennington and Capt. Hugh Bradley, who had served with General Jackson at New Orleans, and for whom the county was named. In the last Territorial Legislature Charles H. Seay represented Union County

in the council and Captain Bradley in the house. The first term of the circuit court after Bradley County was organized was held at the house of Captain Bradley, with Isaac Baker as judge, on April 26, 1841. The first county officers were: Daniel Fraser, judge; Simon Chisholm, clerk; James Bradley, sheriff; Hastings Marks, treasurer; J. T. Cabeen, surveyor; James Ozmend, coroner. The first post office was established about two miles south of the present county seat, with Dr. John T. Cabeen as postmaster. The first mill was a horse mill, set up by Captain Bradley.

In 1842 Nathaniel Barnett, A. S. Franklin and E. B. Owen, the county commissioners, were directed to select a site for a permanent county seat. At the April term of the circuit court in 1843 they reported that thirty acres of ground had been donated by John H. Marks and ten acres by John Splawn for county purposes, where the Town of Warren now stands, and that the offer had been accepted. A temporary courthouse was erected and served until 1858, when a substantial two-story brick structure was built.

Bradley County is divided into the following townships: Clay, Eagle, Marion, Moro, Ouachita, Palestine, Pennington, River, Sumpter and Washington. Warren is the largest town. Its history is given in another chapter. Banks, an incorporated town in the western part, is situated at the junction of the Chicago, Rock Island & Pacific and the Warren & Ouachita Valley railroads. It has a bank, a sawmill and spoke factory, a flour mill, general stores, etc., and is an important trading and shipping point. Hermitage, on the Chicago, Rock Island & Pacific in the central part, is also incorporated. It has a bank, a broom factory and general stores. In 1920 the population of Banks was 347 and that of Hermitage was 285. Besides Warren those are the only incorporated towns in the county. Ingalls, Morobay and Vick are the largest villages. The population of the county in 1920 was 15,970, an increase of 1,452 in ten years.

CALHOUN COUNTY

On December 6, 1850, Acting Governor Byrd approved an act of the Legislature creating a new county from parts of Dallas and Ouachita. The new county was named Calhoun, in honor of John C. Calhoun, the South Carolina statesman. It is one of the southern counties and is bounded as follows: On the north by Dallas County; on the east by Cleveland and Bradley; on the south by Union, and on the west by Ouachita. Its area is 629 square miles and it is divided into the following townships: Casewell, Champagnolle, Dallas, Fayette, Franklin, Huey, Jackson, Jefferson, Locust Bayou, Moro, Polk and River.

Among the pioneers of Calhoun County were Nathaniel Hunt, John R. Hampton, O. H. P. Black, A. I. Manor, James Riggs, Henry Wilson, Allan and Jeremiah Dunn, Martin Pickett, William Steel, Joseph Oliver and William H. Bland. The first county officers were: Jonathan Davis, judge; J. H. Means, clerk; Jeremiah Hollis, sheriff, James Newton, treasurer; N. T. Avant, surveyor; J. B. Dunn, coroner.

The first session of the county court met on May 27, 1851, at the house of James Riggs, about three miles north of the present Town of Hampton. James Ricks and Daniel H. Tobin had been appointed commissioners to select a site

for a permanent county seat. At the first session of the county court above mentioned it was ordered: "That so soon as the commissioners locate the county seat for Calhoun County, A. B. Leary and R. Earnest be appointed commissioners to let a contract to the lowest bidder, for building a temporary courthouse, the plan of building as follows: 24 by 34 feet; to cut off by partition 10 feet; then by a cross partition to make two rooms, one for jury, the other for clerk's office 10 by 12 feet. To be built of good hewn pine timber, to be raftered and covered with cypress boards three feet long, showing one foot; to be 10 feet high from sill to plate, raised on 18-inch blocks, four to each square of the building; floored with good pine 1½ inch plank, laid down on 19 strong sleepers. Two inner doors from the court room, one to each side room with shutters, and one outer door next the square with shutter; a window on either side of the court room and one to each small room, with shutters."

The permanent county seat was located and named Hampton, for John R. Hampton, who was president of the senate at the session of the General Assembly which passed the act creating the county. The courthouse, erected according to the above specifications, was first used at the October term of the county court in 1851. A new courthouse was built in 1859. This building, a two-story frame, is still in service. Among the early lawyers were Joseph McCullough, H. L. Harper, Alexander Mason and the firm of Jones & Thornton. The early physicians were Dr. J. M. Farrior, Dr. W. I. Stokes and a Doctor Curd.

Hampton, the county seat, was incorporated on January 27, 1853, with Dr. R. B. Archer, N. M. Hunt, G. W. McCown, O. H. P. Black, A. I. Manor and Dr. J. M. Farrior as councilmen. I. B. and G. M. Strong were the first merchants in town. In 1871 the town was reincorporated and Dr. T. A. Black was elected mayor. Hampton has a bank, is the terminus of a short line of railroad, and is a trading point for a rich farming district. The population in 1920 was 271. Thornton, the largest town in the county, is described in the chapter on Incorporated Towns. Tinsman, in the eastern part, is situated at the Junction of the Chicago, Rock Island & Pacific and the Thornton & Alexandria railroads and has a population of 248. It has large lumbering interests, general stores, etc. Harrell and Locust Bayou are local trading centers. The population in 1920 was 11,807, a gain of 1,913 over the census of 1910.

CARROLL COUNTY

This county was created by the act of November 1, 1823, out of territory taken from Izard County, and was named in honor of Charles Carroll, one of the signers of the Declaration of Independence from Maryland. It is a northwestern county, bounded on the north by the State of Missouri; on the east by Boone County; on the south by Newton and Madison, and on the west by Benton County. Its area is 641 square miles and the elevation above sea level varies from 1,200 to 1,800 feet. The surface is drained by the White, Osage and King rivers and a number of smaller streams. Corn, clover, alfalfa and fruits are the principal products.

William Sneed and his son Charles settled in what is now Osage Township in the spring of 1830 and located a claim of several thousand acres of land. They opened a road from a place called Dubuque Landing on the White River,

near Lead Hill, and John Boyd is said to have been the first man to drive a team over this road into Carroll County. Other pioneers were Louis Russell, David Williams, Alexander and Bruce Boyd, Martin Standridge, Jacob and Jeremiah Meeks, the Blevins brothers, George Stone, Robert Dawson, Jesse White, William Tabor and the Bakers. The first mill in the county was a steel mill, operated by hand, and was brought by John Baker. William Wood built a small water mill on the Osage in 1837. John Yocum built a mill near Green Forest in 1835.

The early sessions of the county court were held at the house of William Sneed. John S. Blair, Barnett Cheatham and Henry Keys were appointed commissioners to locate a permanent county seat and superintend the erection of public buildings. They selected the site of the present Town of Carrollton and built a courthouse of logs. It was two stories in height and was about twenty feet square. The second courthouse was a brick building, which was destroyed by fire in the winter of 1859-60. A new courthouse was built after the war, but when Boone County was formed in 1869, Carrollton was no longer centrally located and the county seat was, after a contest of several years, removed to Berryville, where a new courthouse was completed in 1880. Eureka Springs was subsequently made a joint county seat with Berryville.

Carroll County is divided into the following townships: Beaver, Cabanal, Carrollton, Cedar, Clifty, Cross, Delmar, Dry Fork, Franklin, Goin, Hickory, Kings River, Liberty, Long Creek, Omega, Osage, Packard, Piney, Polo, Prairie, Winona and Yocum. Except Berryville and Eureka Springs, Green Forest is the only incorporated town in the county. It is located on the Missouri & North Arkansas Railroad about five miles east of Berryville, and was incorporated on February 22, 1895. It has a bank, a canning factory, an ice factory, a flour mill, grain elevator, a weekly newspaper, a creamery, several merchantile concerns, and in 1920 reported a population of 868. Carrollton, the former county seat, is now a small hamlet. Oak Hill, Osage and Urbanette are the largest villages in the county. James H. Berry (afterward governor) and W. W. Watkins were among the early lawyers of Carroll County.

The early records of the county have been destroyed, but it is known that the first election for county officers was held in 1834 and resulted in the choice of the following: George Campbell, judge; John Bush, clerk; T. H. Clark, sheriff; William Nooner, surveyor; Abraham Shelby, coroner. A. M. Wilson was elected treasurer in 1836.

Carroll County is rich in natural resources. The great need is transportation facilities. The Missouri & North Arkansas Railroad, the only one in the county, ceased operations on August 1, 1921, leaving the people without sufficient means of marketing their products. The population in 1920 was 17,786.

CHICOT COUNTY

Situated in the extreme southeast corner of the state is Chicot County. It is bounded on the north by Desha County; on the east by the Mississippi River, which separates it from the State of Mississippi; on the south by the State of Louisiana, and on the west by the counties of Drew and Ashley. Its area is 607 square miles. Being of alluvial formation the soil is exceedingly fertile

and the surface is level. Cotton, corn, alfalfa and clover are the principal crops. This county holds the record for the greatest production of cotton per acre.

Chicot County was created by the act of October 25, 1823, from Arkansas County, and was named for Point Chicot on the Mississippi River. In the act creating the county, Joseph Boone, Thomas James, Abner Johnson and John Weir were named as commissioners to locate a permanent county seat. They selected the old Town of Columbia, which was washed away by the Mississippi River, and in 1855 the seat of justice was located at a place called Masona, at the head of Bayou Macon. It remained there only about two years, when it was removed to Lake Village, where a brick courthouse and jail were erected the same year. Among the early lawyers to practice in this courthouse were: Isaac N. Barnett, Edward A. Meany, William H. Sutton, Thomas N. Byers and Richard M. Gaines.

Most of the early settlers were "squatters," who did little in the way of permanent improvements. Those who came a little later located near the Mississippi and for several years the settlements did not extend far inland. John R. and Charles W. Campbell, Isaac Adair, Oscar Bowles, William T. Ferguson, Benjamin P. Gaines, Madison Peak, Joel Offutt, Silas Craig and Sanford C. Faulkner were among the pioneers. The first county officers were: John Clark, clerk; William B. Patton, sheriff; Richard Latting, coroner. William B. Duncan, the first county judge, was elected in 1829, and A. W. Webb, the first treasurer, was elected in 1836.

Chicot County is divided into twelve townships, to wit: Alexander, Bayou Macon, Bowie, Carlton, Gaines, Lake, Louisiana, McConnell, Masona, Oden, Planters and Railroad. There are three towns—Dermott, Eudora and Lake Village—that have a population of more than 1,000 each. Chicot, Grand Lake, Hudspeth, Leland, Readland and Sunnyside are important villages.

The county is well supplied with transportation facilities. Four lines of the Missouri Pacific railway system traverse the county—two running north and south and two east and west. The population in 1920 was 21,749.

CLARK COUNTY

By an act of the Legislature of the Territory of Missouri, approved on December 15, 1818, it was provided that: "All that portion of the County of Arkansas bounded as follows, to wit: Beginning at the west boundary of the Quapaw claim, at a place where Michael Bone's road crosses the same, then west on said road to the south fork of the Saline Creek, then up said creek to its head, then due west to the Indian boundary line, then south with said Indian boundary line, until a due east and west line will intersect the head of the north branch of the Little Missouri, then down the Little Missouri to its mouth, then with the Ouachita River to the mouth of the Saline Creek, on the boundary line of the Quapaw Indian claim, then with the Quapaw boundary line to the place of beginning, is hereby laid off and erected into a separate county which shall be called and known by the name of Clark County."

By the creation of new counties Clark has been reduced to an area of 882 square miles. It is bounded on the north by Montgomery and Hot Spring

counties; by Hot Spring and Dallas counties on the east; by Ouachita and Nevada counties on the south, and by Pike County on the west. It was named for Gov. William Clark, of Missouri Territory. The surface is undulating and the soil is well watered by the Caddo, Little Missouri and Ouachita rivers, Terre Noir Creek and some smaller streams.

The first term of court was held at the house of Jacob Barkman on June 14, 1819, with James Cummins and Stephen Clanton judges, commissioned by the governor of Missouri Territory. James W. Bates and Samuel C. Roane were admitted to the bar, and the latter was appointed prosecuting attorney for the counties of Arkansas, Clark, Hempstead and Pulaski, after which a divorce case was heard, James Galbreath asking for divorce from his wife, Mary Galbreath. Judge Neil McLane held a term of the circuit court at Barkman's on April 18, 1820. That place continued to be the temporary county seat until 1825, when it was removed to a place called Biscoeville. Two years later it was taken to Adam Stroud's and in 1830 it was located at Greenville (now Hollywood). There it remained until the permanent county seat was established at Arkadelphia in 1842.

From the best available authority it appears that the settlement of Clark County began as early as 1811. Among the pioneers were Abram and Jacob Wells, Adam and William Stroud, Jacob Barkman, John Wilson, A. H. and Samuel M. Rutherford, Abner Hignight, Thomas and David Fish, the Thorntons, the Hemphills and a few others. The first county officers were: W. P. L. Blair, clerk; Moses Graham, sheriff; Matthew Logan, coroner, appointed in 1818. Moses Moore, the first county judge, was elected in 1830, and the county was without a treasurer until 1836, when Jacob Wells was chosen.

Clark is divided into the following townships: Alpine, Amity, Anderson, Antoine, Beech Creek, Beirne, Caddo, Elkins, Greenville, Leard, Long Creek, Manchester, Missouri, South Fork and Terre Noir. The principal municipalities are the City of Arkadelphia and the incorporated Town of Gurdon. Amity, on the Womble division of the Missouri Pacific Railroad, in the northwest corner of the county, is an incorporated town with a population of 680. It has a bank, a weekly newspaper, several general stores, a public school, a flour mill, a nursery, a sawmill and several minor business enterprises. Graysonia, near the western boundary, on the Missouri Pacific Railroad, reported a population of 700 in 1920. Its business concerns include a large sawmill and general stores. Alpine, Beirne, Curtis, Okolona, Smithton and Whelen Springs are the most important villages.

The main line of the Missouri Pacific Railroad passes through this county from northeast, with branches from Gurdon to Camden, and to Pike City, and the Memphis, Dallas & Gulf traverses the northern part. The population in 1920 was 25,632.

CLAY COUNTY

When first created by the act of March 24, 1873, this county was named "Clayton," for John M. Clayton, a member of the state senate at that session. The Legislature of 1875 dropped the last syllable of the name, changing it to "Clay." It is the most northeastern county of the state; bounded on the north

and east by the State of Missouri; on the south by Greene County, and on the west by Randolph. Its area is 654 square miles and it is divided into the following townships: Bennett, Blue Cane, Bradshaw, Brown, Cache, Carpenter, Chalk Bluff, Clark, Cleveland, Current River, Gleghorn, Haywood, Johnson, Kilgore, Knob, Liddell, Nelson, Oak Bluff, Payne, Pollard, St. Francis and Swain.

No county judge was elected at the first election in 1873. The officers then chosen were: T. L. Martin, clerk; William G. Akers, sheriff; William Liddell, treasurer; W. C. Grimsley, surveyor; E. N. Royall, assessor; J. Cunningham, coroner. At the regular election in 1874, T. M. Holyfield was elected county judge.

The act creating the county fixed the temporary county seat at Boydsville. In 1881 the Legislature designated Corning as the place for holding courts in the western district, and after the completion of the St. Louis Southwestern Railroad the county seat for the eastern district was removed from Boydsville to Piggott. Corning, Piggott and Rector each have a population of over 1,000 and are described elsewhere. Besides these places the incorporated towns are Datto, Greenway, Knobel, Nimmons, Peach Orchard, St. Francis and Success.

Datto is located near the western boundary, on the St. Louis & San Francisco Railroad. It has a bank, general stores, etc., and in 1920 reported a population of 242. Greenway is the first station south of Piggott on the St. Louis Southwestern Railroad. It has a flour mill, a bank, general stores, a public school and a population of 362. Knobel is in the southwestern part, at the junction of the main line and the Memphis & Helena division of the Missouri Pacific. It has large lumber and veneer mills, a flour mill, a bank, and a number of stores. Its population in 1920 was 390. Nimmons is situated near the eastern boundary on the St. Louis, Kennett & Southern Railroad. Its population is 297. It has a sawmill, stores, etc., and is a banking and shipping point for the farmers in the eastern part of the county. St. Francis is near the northeast corner of the county on the St. Louis Southwestern Railroad. It has a sawmill, factories for turning out spokes, handles, shingles and chair material; also a bank, etc., and a population of 501. Peach Orchard is on the main line of the Missouri Pacific near the southwest corner of the county. It has factories for producing wagon materials, cooperage, a flour mill, a bank, several good stores and a population of 484. Success is on the St. Louis & San Francisco Railroad in the northwestern part, and reported a population in 1920 of 436. Its business concerns include a bank, a sawmill and general stores. Boydsville, Moark and Leonard are active villages.

Clay County was formed out of territory taken from Greene and Randolph counties and the first settlements within its borders were made long before it was created as a separate county. The population in 1920 was 27,258, an increase of 3,586 in ten years.

CLEBURNE COUNTY

This county is the youngest of the seventy-five counties in the state. It was created by the act of February 20, 1883, from parts of Independence, Van Buren and White counties, and was named for Patrick R. Cleburne, who entered

the Confederate service at the beginning of the war in 1861 as colonel of the First Arkansas Infantry and rose to the rank of major-general. It is situated a little northeast of the center of the state, has an area of 596 square miles, and is bounded as follows: On the north by Stone County; on the east by Independence and White counties; on the south by White and Faulkner counties, and on the west by Van Buren County. Its average elevation above sea level is 500 feet. The Little Red River is the principal watercourse. Farming and stock raising are the leading occupations.

The act creating the county designated a place called Sugarloaf as the county seat, but a few years later it was removed to Heber Springs, on the Missouri & North Arkansas Railroad, near the center of the county. The first county officers were: W. G. Ward, judge; T. J. Andrews, clerk; S. J. Morton, sheriff; T. J. Majors, treasurer; C. Sales, surveyor; J. C. Barnes, assessor; James Arnett, coroner. Cleburne is divided into the following townships: Big Creek, Cadron, California, Center, Clayton, Francis, Giles, Grassy, Healing Springs, Heber, Morgan, Mountain, Peter Creek, Pine, Piney, Poff, Saline, Sugarloaf and Valley.

Heber Springs (see Chapter LI) is the largest and most important town. Edgemont, Higden, Shiloh and Quitman are incorporated towns. Of these Quitman, near the southwest corner, is the largest. Almond, Hiram and Wolf Bayou are neighborhood trading points. In 1920 the population of the county was 12,696.

CLEVELAND COUNTY

Cleveland County is situated southeast of the center of the state. It is bounded on the north by Dallas, Grant and Jefferson counties; on the east by Lincoln and Drew counties; on the south by Bradley County, and on the west by Calhoun and Dallas counties. It has an area of 603 square miles, with a generally level or slightly undulating surface and a fertile soil, drained by the Saline River and its tributaries. All the crops grown in the state can be grown in this county and stock raising is an important industry.

The county was created by the act of April 17, 1873, and was at first called Dorsey County, in honor of Stephen W. Dorsey, then one of the United States senators from Arkansas. Senator Dorsey rendered himself unpopular with the people of Arkansas and in 1885 the name was changed to Cleveland, in honor of Grover Cleveland, who had just been elected President of the United States. The first county officers were: John Fawcett, judge; H. Hementred, clerk; S. W. McLeod, sheriff; M. T. McGehee, treasurer; J. N. Marks, surveyor; C. B. Atwood, assessor; James Arnett, coroner.

Among the early settlers in what is now Cleveland County may be mentioned H. W. Rogers, M. J. Harrison, Joseph Gray, William Hall, John Seymour, Stephen Johnson, Thomas Atkinson, William Moseley, John Powers, W. T. Brewer, the Kennedys, Barnetts, Springers, the Blankenships and a few others. Dr. W. D. Barnett was one of the earliest physicians.

The first meeting of the county supervisors was held at Pleasant Ridge on May 17, 1873, with Joseph Gray as chairman. At the second meeting, June 2nd, the residence of N. V. Barnett was selected as a temporary county seat.

On July 7, 1873, Toledo was designated by the board as the permanent county seat. The residence of M. T. McGehee was purchased and remodeled for a courthouse. This building was burned on March 9, 1889. Rison, Kingsland, Beasley's Switch and New Edinburg then became candidates for county seat honors. At an election held on June 29, 1889, none of these places received a majority. A second election was held on August 17, 1889, when Rison won by the small margin of seven votes. The Kingsland people contested the election and the county court decided in favor of that place. The Risonites then appealed to the Supreme Court, which decided that the election was legally held, the votes correctly counted and that Rison was the county seat.

Cleveland is divided into the following townships: Bowman, Harper, Hudgin, Hurricane, Jackson, Kingsland, Lee, Miller, Niven, Redland, Rison, Saline, Smith, White Oak and Whiteville.

Rison, the county seat, is the largest town. It is situated north of the center of the county on the St. Louis Southwestern Railroad (the only railroad in the county), and in 1920 reported a population of 685. It is a banking town, has a weekly newspaper, large lumbering interests, public schools and general stores, and was incorporated on September 1, 1890. Kingsland, the only other incorporated town, is located on the railroad near the western boundary and was incorporated on July 22, 1884. Its population in 1920 was 397. It has a bank and the usual mercantile concerns found in towns of its size. Clio, Draughton, Kedron, New Edinburg and Orlando are active little villages. The population of the county in 1920 was 12,260.

CHAPTER XLII

COUNTIES—COLUMBIA TO GARLAND

COLUMBIA COUNTY—CONWAY COUNTY—CRAIGHEAD COUNTY—CRAWFORD COUNTY—ITS ORIGINAL BOUNDARIES—CRITTENDEN COUNTY—FOY'S POINT—CROSS COUNTY—DALLAS COUNTY—DESHA COUNTY—A PECULIAR BILL OF SALE—NAPOLEON—DREW COUNTY—FAULKNER COUNTY—FRANKLIN COUNTY—FULTON COUNTY—MAMMOTH SPRING—GARLAND COUNTY—DATE OF ORGANIZATION OF EACH—EARLY SETTLEMENTS—LOCATING COUNTY SEATS—FIRST OFFICERS—TOWNSHIPS, TOWNS, VILLAGES, ETC.—POPULATION IN 1920.

COLUMBIA COUNTY

On December 17, 1852, Gov. Elias N. Conway approved an act of the Legislature creating the County of Columbia out of territory taken from Hempstead, Lafayette, Ouachita and Union counties. It is situated in the southwestern part of the state; is bounded on the north by the counties of Nevada and Ouachita; on the east by Union County; on the south by the State of Louisiana, and on the west by Lafayette County. Its area is 785 square miles and its average elevation above sea level is 322 feet. The gently rolling surface is drained by tributaries of the Red River.

The first election for county officers was held in February, 1853, and resulted in the choice of the following: E. G. Turner, judge; R. G. Harper, clerk; John E. Smith, sheriff, Peter Farrar ,treasurer; J. Martin, coroner, I. T. House, surveyor. On March 21, 1853, the county court met for the first time at Ferguson & Morgan's store, about six miles west of the present City of Magnolia. B. F. Askew, a young attorney who was present, gave the place the name of "Frog Level." Coleman W. Garrett, Ananias Godbolt and Andrew J. Thompson were appointed commissioners to locate a permanent county seat. They selected the site where Magnolia now stands and laid out the town. The county officers occupied rented quarters until the completion of the first courthouse in 1855.

Among the early settlers were E. T. Hearne, T. M. Barnett, I. P. Edwards, G. T. C. Hearne and William Hearne, all of whom entered lands in 1835. They were followed by S. A. Gillespie, the Morrisons, J. R. Siddell, Peter Cox, J. S. Claybrook, J. T. Jones, R. B. Lee, John Templeton, W. C. Nelson, the Clarks, the Leaks, the Moores, the Murphys and several other families. The first marriage license was issued on January 2, 1853, to A. J. McKinney and Miss Lucy T. Sheppard and the ceremony was performed by Rev. R. G. Harper, of the Methodist Church.

Columbia County is divided into sixteen townships, to wit: Boone, Brown, Buena Vista, Calhoun, Clay, Cleveland, Cornie, Dorcheat, Georgia, Harrison, Lamartine, McNeil, Magnolia, Mississippi, Moss and Warren. Magnolia (see Chapter L) is the only city of importance. Emerson, on the Louisiana & North-

west Railroad in the southern part of the county became an incorporated town after the census of 1910. It has large lumbering interests, a telephone exchange, a bank, general stores, etc., and in 1920 reported a population of 357. McNeil, at the junction of the Louisiana & Northwest and the St. Louis Southwestern railroads, was incorporated on February 12, 1884. It has a bank, an electric light plant, a large sawmill, public schools, general stores, and in 1920 reported a population of 448. Taylor, also an incorporated town, is situated in the southwestern part on the Louisiana & Arkansas Railroad. It is a banking town and is an important trading and shipping point for the southwestern section of Columbia and the southeastern part of Lafayette. Waldo, on the St. Louis Southwestern, was incorporated on August 13, 1888, and in 1920 had a population of 704. It has a bank, a fertilizer works, a flour mill, a telephone exchange, an electric light plant, mercantile establishments, and ships large quantities of lumber and shingles. There are also several small villages in the county. In 1920 the population was 27,670, an increase of 3,850 over the census of 1910.

CONWAY COUNTY

Conway County was created by the act of October 20, 1825, out of territory taken from Pulaski County, and was named for Henry W. Conway, then delegate in Congress. Cadron was designated as the county seat until the voters of the county should decide upon a permanent county seat. James Lemmons and Thomas White were appointed to conduct an election for commissioners to decide upon a location, but no record of the proceedings is available. It is known, however, that a permanent seat of justice was not established until 1830. In 1827 Elisha Welborn and William G. Saffold, commissioners, decided upon a place called Marion, but popular objection seems to have been too strong and the project was abandoned. The following year Rodney Earheart, Lewis Jones, Peter Kuykendall, Daniel McElmurry and Thomas White were appointed commissioners. They selected a place called Harrisburg, but again there were serious objections. On October 31, 1829, Governor Pope approved an act calling an election at the house of Stephen Harris, in Welborn Township on the first Monday in December, to locate a seat of justice. Thomas Burris, William Ellis and Elisha Welborn were named in the act as commissioners to receive donations for the erection of a courthouse and jail. It was further provided that, if no place received a majority of the votes cast, the lowest should be dropped and another election held, and so on, until some one location received a majority. A site donated by Nimrod Menefee was chosen and the Town of Lewisburg was laid out. In 1853 the county seat was removed to Springfield, near the eastern boundary, where it remained for twenty years. By an act of the Legislature, approved on April 16, 1873, it was moved back to Lewisburg, the name of which was changed to Morrillton.

Among the pioneers of this county were those already named; Frederick Fletcher, who obtained a license to build and operate a toll bridge over the Arkansas River at Point Remove, and who was appointed postmaster there when the office was established on March 1, 1830; Joseph Simmons, Thomas Mathers and Kirkbride Potts, who settled in Lewisburg as soon as it was designated as the county seat in 1830.

The county is centrally located and is bounded as follows: On the north by Van Buren County; on the east by Faulkner County; on the south by Perry County, and on the west by Pope and Yell counties. Its area is 563 square miles and its elevation ranges from 285 to 780 feet. Corn, cotton, alfalfa, potatoes and fruits are the principal products. Conway is divided into the following townships: Bentley, Cedar Falls, Gregory, Griffin, Higgins, Howard, Lick Mountain, McLaren, Martin, Nichols, Petit Jean, St. Vincent, Steele, Union, Washington and Welborn.

Besides Morrillton (see Chapter L) the only incorporated towns are Cleveland and Plummerville. The former is situated in the northern part, sixteen miles from the railroad, and is merely a trading point for the people living in that section. It was incorporated on April 11, 1890, and in 1920 reported a population of 159. Plummerville is the first station east of Morrillton on the Missouri Pacific Railroad. It was incorporated on October 14, 1880, has a bank, an electric light plant, and is a trading and shipping point for a considerable agricultural district. Blackwell, Center Ridge, Hattieville, Jerusalem, Kenwood, Solgohachia and Springfield are the most important villages. The population of the county in 1920 was 22,578.

CRAIGHEAD COUNTY

Situated in the northeastern part of the state, in the alluvial basin, is Craighead County. It was created by the act of February 19, 1859, from parts of Greene, Mississippi and Poinsett counties, and was named for Thomas B. Craighead, the state senator at that session from the district composed of Crittenden and Mississippi counties. It is bounded on the north by Greene County and the State of Missouri; on the east by Mississippi County; on the south by Poinsett County, and on the west by Jackson and Lawrence counties. Its area is 687 square miles.

Crowley's Ridge runs north and south through the county. East and west of this ridge are fertile lands where large crops of cotton, corn, potatoes, etc., are grown. Rice is cultivated successfully in some of the lowlands and fine fruits are raised on Crowley's Ridge. The county is divided into the following townships: Big Creek, Black Oak, Brookland, Buffalo, Gilkerson, Greenfield, Herndon, Jonesboro, Lake City, Lester, Little Texas, Maumelle, Nettleton, Powell, Prairie, Promised Land, Taylor and Texas.

When the county was created it was directed that the temporary county seat should be at the store of William Puryear. J. N. Burk, G. B. Gibson and R. Stephens were elected commissioners to select a permanent location and they laid out the Town of Jonesboro in the fall of 1859. The first county officers were: Isham Fuller, judge; L. H. Sutfin, clerk; W. T. Armstrong, sheriff; Thomas Nelson, treasurer; J. N. Burk, surveyor; R. H. McCoy, coroner.

Jonesboro (see Chapter L) is the only city. Brookland, Lake City, Monette and Nettleton are incorporated banking towns, and Bono, Bellefield, Cash, Gilkerson and Lunsford are thriving business villages. Brookland, on the Missouri Pacific Railroad in the northern part of the county, has a flour mill, factories for the production of cooperage material and handles, general stores, and a population of 326. Lake City, on the Jonesboro, Lake City & Eastern Rail-

road, was incorporated on February 7, 1898. It has a weekly newspaper, a flour mill, large lumber interests, a telephone exchange and a population of 635. It is the county seat for the eastern district. Nettleton, on the Missouri Pacific a short distance south of Jonesboro, was incorporated on June 11, 1894. Its principal industries are those connected with the timber interests. The county is well supplied with railroads, the Missouri Pacific, the St. Louis Southwestern, the St. Louis & San Francisco, the Jonesboro, Lake City & Eastern, and the Blytheville, Leachville & Arkansas traversing it in all directions. The population in 1920 was 37,541, an increase of 9,914 in ten years.

CRAWFORD COUNTY

By the act of October 18, 1820, a large part of the County of Pulaski was taken to form the County of Crawford. It was named for William H. Crawford, secretary of war in 1815. The boundaries as described in the act were as follows: "Beginning at the mouth of the Petit Jean Bayou, on the Arkansas River; thence up said bayou or the main branch thereof until it comes to the line now dividing the counties of Clark and Pulaski; but if it should not strike the said line before it comes to the head of the main branch of the Petit Jean as aforesaid, it shall run from thence a south course until it does strike the line now dividing the said counties of Clark and Pulaski; thence along the said line to the Canadian River; thence down the Canadian River to the Arkansas River; thence up the Arkansas to the mouth of the Verdigris River; thence up the Verdigris to its falls; thence in a line running eastwardly on such degrees as will intersect the line running from the Fire Prairie, sixty miles north of the said river; thence with the said line to the Arkansas River; thence down the Arkansas to the place of beginning."

As thus constituted, the county contained a large part of the present State of Oklahoma. The shifting of the western boundary of Arkansas and the creation of new counties have reduced Crawford to its present dimensions of 593 square miles. It is bounded on the north by Washington County; on the east by Franklin County; on the south by Sebastian County, and on the west by the State of Oklahoma. It is one of the inter mountain counties, with an elevation varying from 400 to 800 feet. The soil, especially in the valleys, is fertile and the county is one of the best in the state for stock raising and fruit growing.

The first permanent settlements in what is now Crawford County were made about two years before the county was created. Thomas Martin located where Van Buren now stands in 1818 and is credited with building the first house. David Boyd, the Billingsleys, the Buchanans, the Newtons, the Olivers, the Moores and the Wilsons were among the first to settle within the present county limits. Shortly after the county was created by the Legislature, Henry Bradford was appointed clerk, and Jack Mills, sheriff. In 1830, when the people were given the privilege of electing the county officers, the following were chosen: Robert Sinclair, judge; G. C. Pickett, clerk; James Wilson, sheriff; Alfred Oliver, surveyor; Elihu Joy, coroner.

The first county seat was at the house of John Jay, on the south bank of the Arkansas River, about half a mile above the point afterward known as "Old

Crawford Court-House." On October 22, 1821, John McLain, Clark Sanders and John Wilson were appointed commissioners by act of the General Assembly to locate a permanent county seat. Changes in boundary lines caused changes in the location of the seat of justice until 1839, when John Drennen and David Thompson offered to donate one block or square in the Town of Van Buren for county purposes, provided the people of Crawford County should accept the same by vote as the permanent county seat, which was done, and a courthouse was erected.

Among the early lawyers in this county were Jesse Turner, Hugh F. Thomasson and William Walker. Drs. R. F. Colburn, L. C. White and M. O. Davidson were practicing physicians before the Civil war. The county is divided into the following townships: Alma, Barker, Cedar Creek, Cedarville, Chester, Cove, Dora, Dyer, Jasper, Lafayette, Lancaster, Lees Creek, Maxey, Mountain, Oliver Springs, Porter, Richland, Rudy, Sand Point, Shepherd, Union, Upper, Van Buren, Vine Prairie, Whitley and Winfrey.

The City of Van Buren and the Town of Mulberry are described elsewhere. Alma, on the Missouri Pacific Railroad a few miles east of Van Buren, was incorporated on January 7, 1874. It has a bank, a canning factory, a weekly newspaper, a telephone, and is the headquarters of one of the coal mining companies. The population in 1920 was 779. Chester, on the St. Louis & San Francisco Railroad in the northern part, is a small incorporated town, with a population of 223. Dyer, thirteen miles east of Van Buren on the Missouri Pacific, was incorporated on July 16, 1889. It is a banking, shipping and trading point for a considerable farming district. Lane Hill, Mountainburg, Rudy, Uniontown and Winfrey are flourishing villages. The population of the county in 1920 was 25,739, an increase of 1,797 in ten years.

CRITTENDEN COUNTY

Crittenden County was created by the act of October 22, 1825, and was named for Robert Crittenden, the first secretary of Arkansas Territory. It is located on the eastern border of the state; is bounded on the north by the counties of Craighead and Mississippi; on the east and southeast by the Mississippi River, which separates it from the states of Tennessee and Mississippi and on the west by the counties of Cross, St. Francis and Lee. Its area is 582 square miles of rich, alluvial land, and the county is one of the four leading agricultural counties of Arkansas.

Benjamin Foy, a native of Holland, settled where the City of Memphis now stands in 1792. Three years later he moved across the Mississippi River and established a settlement at 'Foy's Point." Thwaites, in his "Early Western Travels," says his settlement was "the most healthful, moral and intelligent community between the mouth of the Ohio and Natchez—due to the influence of its first settler and his magisterial powers."

Volney, the French traveler, stopped with Foy some time in the winter of 1805-06, and Fortescue Cuming wrote in the spring of 1808. "Soon after Foy's settlement, and very near it, the Americans erected a small stoccado fort, named Fort Pike, from the major commandant. After the purchase of Louisiana by the United States from the Spaniards (French) Fort Pickering was erected

two miles lower down at the end of the bluffs and Fort Pike was abandoned. * * * There are two stores on each side of the river, one of which is kept by Mr. Foy, who owns a small barge which he sends occasionally for goods to New Orleans, from whence she returns generally in forty days and did so once in thirty."

Fort Pike and Fort Pickering were on the east side of the Mississippi. The Spanish had a military establishment at Foy's settlement, called Camp Esperanza. After the Americans took possession in 1804 the name of this post was changed to Hope Encampment, then to Hopefield, which was the second town to be established in Arkansas. Foy died there on December 27, 1823. Other early settlers in what is now Crittenden County were Montford Perryman, William Grace, Antoine Pena, John F. Almendras, John Hogan and John Taylor.

When the county was created in 1825, J. Livingston was appointed clerk, and W. D. Ferguson, sheriff. The officers elected in 1829 were: D. H. Harrig, judge; J. Livingston, clerk; W. D. Ferguson, sheriff; S. A. Cherry, surveyor; O. Wallace, coroner. The county is divided into thirteen townships, to wit: Black Oak, Bob Ward, Brandywine, Fogleman, Jackson, Jasper, Lucas, Mississippi, Mound City, Old River, Proctor, Tyronza and Wappanocca. Soon after the county was organized commissioners were elected to locate a county seat. They decided on a place called Greenock, on the Mississippi River near the northeast corner of the county, where it remained until 1837, when it was removed to Marion.

The county is traversed by two lines of the Missouri Pacific, the St. Louis & San Francisco, and the Chicago, Rock Island & Pacific railroads, which afford excellent transportation facilities. In 1910 the population was 22,447 and in 1920 it was 29,309, an increase in ten years of over 30 per cent.

Earle (see Chapter LI) is the largest town. Marion, the county seat, is located on the St. Louis & San Francisco Railroad in the east central part of the county. It was platted on January 25, 1837, by Marion Tolbert, for the new county seat, and was incorporated on February 20, 1896. It has a bank, a weekly newspaper, an ice and cold storage plant and a number of mercantile establishments. Crawfordsville, on the Missouri Pacific in the central part of the county, and Edmondson, on the Rock Island in the western part, are incorporated towns. Clarkdale, Gilmore, Jericho, Lambethville, Proctor, Turrell and Vincent are busy little villages.

CROSS COUNTY

Cross is one of the east central counties. It is bounded on the north by Poinsett County; on the east by Crittenden; on the south by St. Francis, and on the west by Jackson and Woodruff. Its area is 619 square miles. Crowley's Ridge runs north and south through the central part. East and west of the ridge are level lands where farmers raise large crops of cotton, corn, alfalfa and clover. Rice is grown in the St. Francis Valley in the eastern part and on the ridge are some fine orchards.

The county was created by the act of November 15, 1862, out of territory taken from Crittenden, Poinsett and St. Francis counties. The first county

officers were: S. L. Austelle, judge; B. D. McClarran, clerk; J. N. Dobson, sheriff; Robert Meek, treasurer; M. Halk, surveyor; K. B. Pledger, coroner. The county seat was first located at Wittsburg, in the southeastern part near the St. Francis River. In April, 1886, it was removed to Vanndale, near the center, and some years later was established at Wynne, where it has since remained. Regarding the name of the county, all the early historical writers state that it was named for Edward Cross, who served as territorial judge, was one of the incorporators of the Cairo & Fulton Railroad Company, served in Congress from 1839 to 1845, and was then elected associate justice of the Supreme Court. J. M. Vann, in a communication published in the "Arkansas Democrat" of February 24, 1906, says: "This county was named for Col. David C. Cross, the first colonel of the Fifth Arkansas Infantry of the Confederate army, residing at that time on the Poinsett side of the line between that and St. Francis County, and who gave his residence to the county for a county seat." This statement does not agree with the records, which show that the first county seat was at Wittsburg.

Probably the first white settler was Samuel Fillighan, who located on the stream now known as Cooper's Creek, not far from Wittsburg, as early as 1798. He was still living there as late as July, 1820, when he purchased from William Russell part of Spanish Grant No. 498. The county is divided into the following townships: Bedford, Brushy Lake, Coldwater, Ellis, Fair Oaks, Hickory Ridge, Mitchell, Searcy, Smith, Tyronza and Wynne. Two divisions of the Missouri Pacific railway system cross each other at Wynne and the St. Louis Southwestern runs for some distance just inside the western border.

Wynne and Parkin, the only incorporated municipalities in the county, are described in other chapters. Cherry Valley, Fair Oaks, Hickory Ridge, Smithdale and Vanndale are thriving villages. The population of the county in 1920 was 18,579, a gain of 4,537 over the census of 1910.

DALLAS COUNTY

On January 1, 1845, Governor Drew approved an act taking parts of Clark and Bradley counties to form a new county, which was named Dallas, in honor of George M. Dallas, who was elected Vice President in 1844. Princeton was made the county seat, the site being selected by Hawes Coleman, Albert Phillips and Squire Ramsay, and the town plat was made by Joseph Gray for the commissioners. The first courthouse was a log structure, erected at a cost of $300, and answered the purpose until 1852. During those years Princeton grew to be quite a town. After the building of the Iron Mountain and the St. Louis Southwestern railways, several of the leading business concerns removed to Fordyce and Malvern to be on the railroad. Princeton was incorporated on January 3, 1855, but after the county seat was removed to Fordyce it declined and in 1920 had a population of only 191.

Dallas County is situated in the south central part of the state; bounded on the north by Grant and Hot Spring counties; on the east by Grant and Cleveland; on the south by Calhoun and Ouachita, and on the west by Clark County. It has an area of 679 square miles of gently undulating surface, drained by the Saline River, Moro and Tulip creeks and Cypress Bayou. The county is divided

into the following townships: Bunn, Chester, Dry Run, Fordyce, Holly Springs, Jackson, Liberty, Manchester, Nix, Owen, Princeton, Smith, Southall and Willow.

Squire Ramsay, who came to the county in 1842, says he found four families in the Tulip settlement—Presley Watts, Henry Gray, James Kennedy and Moses Overton. In 1843 a number of immigrants arrived, among whom were John Eaton, the Smiths, Alexander Butler, Joseph Gray and Colonel Bayless, who opened the first store in the county. The first church was of the Methodist denomination and was organized by a minister named Hayes in 1845. The first county officers were: William Owen, judge; Presley Watts, clerk; P. S. Bethel, sheriff; J. H. Wyatt, treasurer; W. R. McCoy, surveyor; J. T. Craig, coroner.

The first term of the circuit court was held on October 20, 1845, with Judge William H. Sutton presiding. Among the early attorneys were F. W. Compton, afterward associate justice of the Supreme Court, M. M. Duffie and T. I. Thornton. Henry G. Bunn, at one time chief justice of the Supreme Court, practiced law in this county.

Two lines of the Chicago, Rock Island & Pacific railway system run through the county, one near the eastern and the other near the western border, and the Freeo Valley Railroad runs south from Princeton. Fordyce (see Chapter L) is the only city in the county. Carthage, in the northeastern part is an incorporated town, with a population of 532. It has a bank, a telephone exchange, large lumber interests, general stores, etc. Dalark, in the western part, was incorporated on July 17, 1890. It has a bank, a flour mill, sawmills, general stores, telephone connection with the surrounding towns, and a population of 264. Holly Springs, Sparkman, Tulip and Willow are the principal villages. The population of the county in 1920 was 14,424, an increase of 1,803 in ten years.

DESHA COUNTY

The County of Desha was created by the act of December 12, 1838, out of territory taken from Arkansas County, and was named for Capt. Benjamin Desha, a veteran of the War of 1812, who was appointed receiver of public moneys by President Monroe in 1822 and came from Kentucky to Arkansas. His death occurred on November 21, 1835. The county is situated in the southeastern part of the state; has an area of 747 square miles; it bounded on the north by Arkansas County; on the east by the Mississippi River, which separates it from the State of Mississippi; on the south by Chicot County, and on the west by the counties of Jefferson, Lincoln and Drew. The first county officers were: J. R. Morris, judge; G. B. Watson, clerk; A. C. Jamison, sheriff; William Sexton, treasurer; G. Cooper, surveyor; Rufus Mixture, coroner.

For some time after the organization of the county, the courts were held and the county business transacted at the house of William Sexton. Then the county seat was located at Napoleon, a town no longer in existence. It stood on the point of land immediately south of the mouth of the Arkansas River and was for years an important landing and shipping point on the Mississippi. A newspaper called the "Weekly Planter" was established here some years before the Civil war, and a railroad was projected from Napoleon to Little Rock. During the war the county records were sent to Texas for safety and some of them

were never returned. Among the old records the following document, a relic of the old slavery days, was brought to light a few years ago. It is probably without a parallel in the United States:

"State of Arkansas }
Desha County } ss.

"Know all men by these presents that I, Henry Warfield, a free man of color, of the State of Ohio, of the first part, for and in consideration of the sum of $300 lawful money of the United States to me in hand paid by Stokes S. Haynes, of the County of Desha and the State of Arkansas, of the second part, the receipt of which is hereby acknowledged, have bargained, granted and sold, and by these presents do bargain, grant and sell unto the party of the second part, his executors, administrators and assigns, all the right, title, claim and interest in and to my freedom of person, thereby giving the said party of the second part full power and control over all of my labor and conduct. Granting unto him the power to hire me out, collect my wages and appropriate them to his own use and behoof and in fact the said party of the second part to become and be my master and I, the said party of the first part, to become and be his slave in all respects whatever; to have and to hold the same unto the said party of the second part, his executors, administrators and assigns forever. In witness whereof I have hereunto set my hand and seal, this 14th day of May, A. D. 1859."

This paper was signed by Henry Warfield's "mark," witnessed by B. F. Grace and certified by Daniel J. Murphy, county and circuit clerk, as a "bill of sale."

After the war the Marine Hospital building at Napoleon was leased from the United States authorities for county purposes, though a portion of the building had been thus used prior to the lease. Napoleon was founded about 1833 by Stephen V. Ryan, of the firm of Mapes, Ryan & Company, of Montgomery's Point. The Marine Hospital referred to was erected by the United States at a cost of $55,000 and was one of the two brick buildings in the town at the beginning of the war, the other being the store house of Wat Cheatham. The municipal offices of Napoleon were located in the hospital building after it was leased by the county, until the ravages of the Mississippi rendered the structure unsafe. Then a site farther from the river was purchased and a courthouse was erected. The Mississippi floods continued to undermine the town and in October, 1874, the seat of justice was removed to Watson. At an election held in September, 1879, it was voted to remove the seat of justice to Arkansas City, where it has since remained. Watson is a small railroad station and Napoleon has entirely disappeared.

Desha County is of alluvial formation and large sums have been expended for levees and drainage to reclaim lands that formerly overflowed annually. Arkansas City, Dumas and McGehee are the important towns, and are described in other chapters. Halley, Knowlton, Laconia, Walnut Lake and Watson are the principal villages. Three lines of the Missouri Pacific railway system traverse the county and afford transportation facilities. The population in 1920 was 20,297, a gain of 5,023 over the census of 1910. The townships of the county are: Bowie, Clayton, Franklin, Halley, Jefferson, Mississippi, Randolph, Red Fork, Richland, Silver Lake and Walnut Lake.

DREW COUNTY

This is one of the southeastern counties. It is bounded on the north by Lincoln and Desha counties; on the east by Desha and Chicot; on the south by Ashley, and on the west by Bradley and Cleveland counties. Its area is 847 square miles of fertile valley and upland. It was created by the act of November 26, 1846, from part of Bradley County, and was named for Thomas S. Drew, then governor of the state. The first county officers were: W. H. Wells, judge; Y. R. Royal, clerk; D. D. Greer, sheriff; W. C. Guice, treasurer; E. J. Howard, surveyor; T. Hale, coroner.

About 1832 Reece Bowden and Stephen Gaster came from Louisiana and settled on the Bayou Bartholomew in what is now the eastern part of Drew County. It is believed that they were the first permanent white settlers. Other pioneers, who came before the county was organized, were: John S. Handly and his brother, J. W. Ridgell, Bynum Nichols, Jesse Whitaker, Hugh Fannin, Ezekiel Owens, John O'Neal, Jesse Hunt, Benjamin Nettles and Benjamin Martin. The first post office was established at the store of Carney O'Neal, about three miles west of the present Town of Monticello, and was called Montongo. J. W. Ridgell built the first mill and cotton gin, which were operated by horse power. For many years the people depended upon Ben Martin's peddling wagon for supplies.

The first term of the county court met at the house of Alexander M. Rawles on March 22, 1847, with W. H. Wells presiding. After that the Rodgers schoolhouse was the county seat for a short time, when a place called "Rough and Ready" was made the seat of justice. At the July term of the county court in 1849, John M. Carr, Josiah Halcomb and John M. Sanders were appointed commissioners to select a site for a permanent county seat. Fountain C. Austin offered to deed to the county about eighty acres where Monticello now stands and the offer was accepted. The first term of the county court in the new seat of justice was held in October, 1850.

Fountain Brown, a Methodist preacher, was probably the first minister in the county. Y. R. Royal, the first clerk, was also a minister and solemnized the marriage of Thomas Cotham and Elizabeth Griffith on January 5, 1847, the first after the county was organized. Samuel F. Arnett and William F. Slemmons were among the early lawyers.

Drew County is divided into the following townships: Bartholomew, Bearhouse, Clear Creek, Collins, Cominto, Crook, Franklin, Live Oak, Marion, Prairie, Saline, Spring Hill and Veasey. Monticello and Wilmar are the largest towns. Blissville, in the southeast corner; Collins, on the Missouri Pacific fifteen miles east of Monticello; Ladelle, on the Arkansas & Louisiana Missouri; Tillar, in the northeast corner on the Missouri Pacific, and Winchester, just north of Tillar, are incorporated towns. There are also several small villages that serve as local trading points. The population in 1920 was 21,822.

FAULKNER COUNTY

By the act of April 12, 1873, parts of Conway and Pulaski counties were taken to form a new county, which was named Faulkner, after Sandford C.

(Sandy) Faulkner, credited with being the original "Arkansas Traveler" (see Chapter LVIII). Mr. Faulkner was born in Kentucky on March 3, 1803, came to Arkansas in 1829 and settled on a plantation in Chicot County, but in 1839 removed to Little Rock. During the Civil war he was captain of ordnance at the Little Rock arsenal, whence he was sent to Texas. At the close of the war he returned to Little Rock and died there on August 4, 1874.

Faulkner County is located in the central part of the state; is bounded on the north by Cleburne and Van Buren counties; on the east by White, Lonoke and Pulaski counties; on the south by Pulaski County and on the west by Conway and Yell counties. It has an area of 651 square miles and an average elevation above sea level of 400 feet. The northern part extends into the foothills of the Ozark Mountains and the southern part lies in the Arkansas Valley. The county is divided into the following townships: Benedict, Benton, Bristol, Cadron, California, Clifton, Cypress, Danley, Eagle, East Fork, Enola, Hardin, Harve, Matthews, Mount Vernon, Mountain, Newton, Palarm, Pierce Creek, Pine Mountain, Union, Walker and Wilson.

The first settlement in what is now Faulkner County was made at the mouth of the Cadron Creek by John Standlee in 1814. It is said that Mr. Standlee selected this place for a home as early as 1778, while with a party exploring the country along the Arkansas River. During the five years following his settlement there he was joined by his son-in-law, John C. Benedict and two Scotchmen named Anderson and Frazier. John McElmurray, his four sons, David, Harvey, John and Robert, Benjamin Murphy, Harvey Hager, the McFarlands and Newells also settled in the neighborhood about the same time. The Flanagins and Massengills settled near the mouth of the Palarm Creek, a few miles farther down the river. John and William Standlee built the first sawmill and grist mill in 1818. Jonathan Hardin, a Kentuckian, located farther up the Cadron Creek, near the present Village of Holland, in 1818 and in 1821 his grandson still lived upon the farm he then entered.

By the organic act J. F. Comstock, A. F. Livingston and A. D. Thomas were named as commissioners to locate a seat of justice, and that the temporary seat of justice should be at Conway Station until the commissioners made their report. Conway was chosen as the permanent county seat. The first county officers were: J. W. Duncan, judge; C. H. Lander, clerk; Benton Turner, sheriff; M. E. Moore, treasurer; G. W. Johnson, surveyor; A. B. Henry, assessor; R. T. Harrison, coroner.

The Little Rock & Fort Smith Railroad (now a part of the Missouri Pacific system) was completed through the county in 1872 and is the only railroad in the county. Conway (see Chapter L) is the only incorporated municipality. Cato, Damascus, Enola, Greenbrier, Holland, Mayflower, Mount Vernon, Naylor, Vilonia and Wooster are the principal villages. The population of the county in 1920 was 27,681, an increase of 3,973 in ten years.

FRANKLIN COUNTY

This county is situated in the northwestern part of the state, being bounded on the north by Madison County; on the east by Johnson and Logan counties; on the south by Logan and Sebastian counties, and on the west by Sebastian and

Crawford counties. It has an area of 606 square miles and an average elevation of 489 feet. The Arkansas River flows in an easterly direction through the county a little south of the center. The northern part is rolling or mountainous and the southern part rich valley and prairie.

The county was created by the act of December 19, 1837, out of territory taken from Crawford County, and was named in honor of Benjamin Franklin, one of the signers of the Declaration of Independence from Pennsylvania. The first county officers were: A. Henderson, judge; Samuel Evans, clerk; George McKinney, sheriff; D. L. Bourland, treasurer; John Epler, surveyor; William Hall, coroner. The county is divided into the following townships: Alix, Barham, Black Oak, Boston, Cobb, Cravens, Donald, Grover, Hogan, Hurricane, Ivy, Limestone, McIlroy, Middle, Mill Creek, Miller, Morgan, Mountain, Mulberry, Prairie, Shores, Six Mile, Walker, Wallace, Watalula, Weaver, White Oak, Whiterock and Wittich.

In 1814 three families—Adams, Billingsley and Williams—numbering eighteen persons in all, left Middle Tennessee in a flatboat and after a somewhat tedious journey arrived at the Cadron settlement on the Arkansas River, where John Standlee and his family were the only inhabitants. They remained there until the spring of 1816, when they went on up the Arkansas and founded a settlement on Mulberry Creek, in what is now Franklin County. The following year the lands in that part of Arkansas were granted to the Cherokee Indians and the settlers on Mulberry Creek, then numbering eighteen families, removed to the south side of the Arkansas River. After the Cherokees ceded their lands in Arkansas to the United States in 1828, Simon Miller and his son Jesse returned to the Mulberry Valley and were soon followed by others. This was really the beginning of permanent settlement north of the Arkansas.

The act creating the county designated Ozark as the seat of justice. That part south of the river was cut off from the county seat, not only by the river, but also by the hilly country between the prairie region and the river, and on March 14, 1885, Governor Hughes approved an act which provided: "That all that portion of Franklin County lying north of the Arkansas River and Middle Township, as now defined, on the south side of the Arkansas River shall comprise and be called the Ozark District, and the residue of said county shall comprise and be called the Charleston District."

Ozark, the northern county seat, is the only town in the county with a population of 1,000 or over and is described in Chapter LII. Charleston, the southern county seat, is on the Arkansas Central Railroad in the southwest corner of the county. It was incorporated on April 8, 1874. It has a weekly newspaper, a bank, a number of general stores, two flour mills, three coal mining companies and in 1920 reported a population of 734. Altus, an incorporated banking town, is located on the Missiouri Pacific Railroad near the eastern boundary and has a population of 709. Lumbering and coal mining are the principal industries. Branch, on the Arkansas Central, six miles east of Charleston, is an incorporated town with a population of 370. It has a bank, a sawmill, general stores, etc., and is the headquarters of a coal mining company. Denning, on the Missouri Pacific Railroad seven miles east of Ozark, was incorporated on November 21, 1903. Eight coal mining companies have offices in Denning. The town has a bank, a broom factory, several mercantile concerns and a population of 608.

Webb City and Whiterock are thriving villages. The population of Franklin County in 1920 was 19,364.

FULTON COUNTY

This county was carved out of Izard County by the act of December 21, 1842, and was named for William S. Fulton, the last territorial governor of Arkansas. It lies in the northern tier of counties, has an area of 625 square miles, and is bounded as follows: On the north by the State of Missouri; on the east by Sharp County; on the south by Sharp and Izard counties, and on the west by Baxter County. The surface is rolling and mountainous and the average elevation is 582 feet. It is drained by Spring River and its tributaries. Spring River has its source in the Mammoth Spring, near the northeast corner of the county, said to be the largest spring in the United States, if not in the world. The flow from this spring is over thirty thousand gallons per minute. The water power is used for generating electric current, running a large flour mill, etc.

The act creating the county designated the house of Peter Ground as the temporary county seat. Early in 1843 the permanent county seat was established at Salem, near the center of the county. The first county officers were: E. C. Hunter, judge; Isaac King, clerk; F. Tolbert, sheriff; D. Hubble, treasurer; B. Archer, surveyor; B. Adair, coroner. The county is divided into sixteen townships, to wit: Afton, Bennett Bayou, Benton, Big Creek, Cleveland, Fulton, Mammoth Springs, Mount Calm, Myatt, Pleasant Ridge, South Fork, Strawberry, Union, Washington, Wild Cherry and Wilson.

Mammoth Spring, the largest town, is located near the northeast corner on the St. Louis & San Francisco, the only railroad in the county. This town was incorporated on June 15, 1889, and now has a population of 700. It has one daily and two weekly newspapers, a bank, an electric light and power company, a large flour mill, mercantile concerns, public schools, etc. Salem, the county seat, was incorporated on July 2, 1900. It has a bank, a weekly newspaper, a telephone exchange, a flour mill, public schools, general stores, and a population of 400. Elizabeth, South Fork, Union, Viola and Wild Cherry are the principal villages. In 1920 the population of the county was 11,182. In 1910 it was 12,193.

GARLAND COUNTY

Situated southwest of the center of the state is Garland County, which was created by the act of April 5, 1873, out of territory taken from Hot Spring, Montgomery and Saline counties. It was named for Augustus H. Garland, who was elected governor the next year. On the north it is bounded by Saline, Perry and Yell counties; on the east by Saline and Hot Spring; on the south by Hot Spring, and on the west by Montgomery and Yell counties. Its area is 738 square miles. The surface is diversified, the elevation ranging from 500 to 1,200 feet.

The act creating the county named J. H. Banhousen, L. D. Belden and William Sumpter as commissioners to locate the county seat. They selected Hot Springs and in 1877 Congress, by a special act, provided that the commissioners

might select a block belonging to the United States, which would be donated to the county for a courthouse site. Block No. 114 was chosen and the title passed to the county. Subsequently the county court leased this block, containing about four acres, and purchased lot No. 4, Block No. 55, on which stood a residence which was remodeled for a courthouse. This building burned in 1888, after which the present courthouse was erected on the site.

The first settlement was made where the City of Hot Springs now stands (see Chapter XLIX). About 1826 A. N. Sabin came from New York and settled on Sulphur Creek, east of the Hot Springs Mountain, where he built a small water mill. He was afterward judge of Hot Spring County, before the County of Garland was created.

Garland is divided into the following townships: Antioch, Bain, Baxter, Bear, Buckville, Cedar Glades, Crystal, Farmer, Hale, Hot Springs, Lee, Lincoln, Marble, Mazarn, Mill, Mooney, Mountain, Mountain Valley, Ouachita, Phillips, Sulphur, Union and Whittington. The first county officers were: J. W. Jordan, judge; R. Belden, clerk; W. J. Little, sheriff; R. W. Gibbons, treasurer; Smith Scrogin, surveyor; N. H. Cloves, coroner; J. H. Banhousen, assessor.

The Missouri Pacific, the Chicago, Rock Island & Pacific, and the Memphis, Dallas & Gulf railroads center at Hot Springs, but the northern part of the county has no railroad. With the exception of the City of Hot Springs, Lonsdale is the only incorporated place in the county. It is on the Missouri Pacific near the eastern boundary and had a population of 166 in 1920. Cedar Glades, May, Mountain Valley and Pearcy are the most important villages. The population of the county in 1920 was 25,785.

CHAPTER XLIII

COUNTIES—GRANT TO LAWRENCE

GRANT COUNTY—GREENE COUNTY—SPELLING OF THE NAME—HEMPSTEAD COUNTY—HOT SPRING COUNTY—A SQUATTER'S TITLE—HOWARD COUNTY—NEGRO UPRISING OF 1883—INDEPENDENCE COUNTY—IZARD COUNTY—PEARL FISHING—JACKSON COUNTY—JEFFERSON COUNTY—JOHNSON COUNTY—THE ROCK HOUSE—LAFAYETTE COUNTY—LAWRENCE COUNTY—EARLY SETTLERS IN EACH COUNTY—COUNTY SEATS—RAILROADS—CIVIL TOWNSHIPS—TOWNS AND VILLAGES, ETC.

GRANT COUNTY

Grant County was created by the first reconstruction Legislature, Governor Clayton approving the act on February 4, 1869. The territory comprising it was taken from Hot Spring, Jefferson and Saline counties. It was named for Gen. Ulysses S. Grant, who had been elected President of the United States in November, 1868. The county is centrally located. On the north it is bounded by Saline and Pulaski counties; on the east by Jefferson County; on the south by Cleveland and Dallas counties, and on the west by Hot Spring and Saline counties. Its area is 637 square miles of gently rolling land, drained by the Saline River, Hurricane and Brush creeks.

William M. Allison, John W. Harrison and Thomas A. Morris were appointed commissioners to locate the county seat. A. N. Harris offered to donate land for a seat of justice. His offer was accepted by the commissioners and the Town of Sheridan was laid out. Until the completion of the courthouse in 1871, the county business was transacted in a store house belonging to E. H. Vance. The first county officers were: T. A. Morris, judge; E. H. Vance, Jr., clerk; T. W. Quinn, sheriff; Thomas Page, treasurer; L. J. Wallace, surveyor; J. Holiman, coroner; J. H. Burk, assessor.

On the night of March 13, 1877, the courthouse was destroyed by fire, supposed to have been of incendiary origin. Temporary quarters were obtained and used until a new courthouse was ready for occupancy in 1880. The county is divided into the following townships: Calvert, Darysaw, Davis, Dekalb, Fenter, Franklin, Madison, Merry Green, River, Simpson, Tennessee and Washington.

Prior to 1840 hunting and trapping were about the only occupations of the few white people living within the present limits of the county. In 1841 a number of persons settled in the county. Among them were Merrill Alley, Hugh Berry, Seth Atchley, Edward Calvert, Benjamin Hubbard, John B. Hester, James Hester, James Rogers, Jonas Black, Francis Posey, the Porters, the Tulls, the Fenters, the Williams family and some others. The first store was opened near Morring's Ferry, in what is now Calvert Township by a Frenchman named

Nicholai. The first post office was at Lost Creek, and Joab Pratt, a local preacher, was one of the early postmasters.

The Chicago, Rock Island & Pacific Railroad runs along the western border of the county, and the Benton & Pine Bluff division of the Missouri Pacific passes through Sheridan, which is the largest town. It was incorporated on August 4, 1888; has two weekly newspapers, a telephone exchange, lumber interests, and is the principal banking and commercial center. The population in 1920 was 695. Leola, on the Rock Island Railroad in the southwest corner, is the only other incorporated town. It has two sawmills, a cooperage plant, general stores, etc., and a population of 482. Belfast, Erin, Cherrygrove, Grapevine and Prague are the principal villages. The population of the county in 1920 was 10,710, a gain of 1,285 over the census of 1910.

GREENE COUNTY

On November 5, 1833, Governor John Pope approved an act of the Legislature which provided that: "All that portion of the County of Lawrence lying east of a line beginning where the southern boundary line of the said County of Lawrence crosses the River Cache, thence up the middle of the main channel of said Cache, to a place known as the three forks of the Cache, thence a due north course till it intersects the constitutional line dividing the State of Missouri from the Territory of Arkansas, (shall) be, and the same is hereby, erected into a separate and distinct county, to be called the County of Green."

It will be noticed that in this act the name is spelled without the final "e," but as the county is supposed to have been named for Nathaniel Greene, one of the American generals in the Revolutionary war, somebody unofficially corrected the spelling. The county is situated in the northeastern part of the state; is bounded on the north by Clay County; on the east by the State of Missouri; on the south by Craighead County; on the west by the counties of Lawrence and Randolph, and has an area of 561 square miles. The surface includes ridge, valley and smooth upland, well adapted to agricultural purposes. The county is well drained by the Cache and St. Francis rivers and their tributaries.

When the county was established, the temporary county seat was located at the house of Benjamin Crowley. Commissioners were appointed to locate a permanent county seat and they selected a place called Paris, about five miles northeast of the present Town of Gainesville. About 1848 it was removed to Gainesville and remained there until October 7, 1884, when the County Court issued an order for its removal to Paragould. The first county officers were: L. Brookfield, judge; L. Thompson, clerk; James Brown, sheriff; G. Hall, surveyor; J. Sutfin, coroner. No treasurer was elected until 1838, when James Ratchford was chosen.

Greene is divided into the following townships: Blue Cane, Breckenridge, Bryan, Cache, Clark, Collier, Crowley, Evening Shade, Friendship, Hays, Hopewell, Hurricane, Jones, Lake, Main Shore, Poland, Reynolds, St. Francis, Salem, Shady Grove, Spring Grove, Sugar Creek and Union. Paragould (see Chapter L) is a city of the second class. Delaplaine, in the northwestern part; Marmaduke, in the northeastern part; Walcott, about ten miles west of Paragould, are incorporated towns. All are interested in the lumber industry and are

trading centers. Bethel, Blanchard Springs, Brighton, Finch, Gainesville and Halliday are flourishing villages. Two lines of the Missouri Pacific railway system—the St. Louis Southwestern and the Cache Valley railroads—furnish transportation facilities to nearly every section of the county. In 1920 the population was 26,105, an increase of 2,253 in ten years.

HEMPSTEAD COUNTY

This is one of the five counties created by the Legislature of Missouri Territory before Arkansas Territory was organized. The act creating it was approved on December 15, 1818, and the boundaries were described as follows: "Beginning on the Ouachitas River, at the mouth of the Little Missouri, then up the Little Missouri to the three forks, then up the north fork to its head, then due west to the Indian boundary line, then with said line or lines to the great Red River, then with the Indian boundary line or lines to the boundary line of the State of Louisiana, then with the said line or lines of the said state to the Ouachitas River aforesaid, then up said river to the beginning."

By the erection of new counties Hempstead has been reduced to an area of 727 square miles. It is bounded on the north by Howard and Pike counties; on the east by Nevada County; on the south by Lafayette County, and on the west by the counties of Howard, Little River and Miller. The surface is rolling, the soils sandy loam, limestone and alluvial, and some of the finest farms in Southwest Arkansas are in this county.

The territory comprising the county was taken from Arkansas County. It was named for Edward Hempstead, the first delegate in Congress from the Territory of Missouri. Early in 1819 the governor of Missouri Territory appointed James M. Stewart, clerk; Alexander S. Walker, sheriff, and Benjamin Clark, coroner. These were the first county officers. Sheriff Walker was a Virginian by birth. In July, 1808, he enlisted in the First United States Rifles, which was sent to Fort Adams, Mississippi Territory, in anticipation of trouble with France or Spain over the Louisiana question. The camp of the regiment was pitched in an unhealthy location, and because Captain Walker said a few "cuss words" about it he was court-martialed and dishonorably discharged from the army. Soon afterward he came to Arkansas (then part of Missouri) and in 1816 he represented Lawrence County in the Missouri Legislature. He was one of the candidates for delegate in Congress from Arkansas in 1819. He died near Fort Gibson in 1837 or 1838.

The settlement of the county dates from 1812, when John Campbell came from Tennessee, Benjamin Clark from Kentucky, William and George Yates from Missouri and built their log cabins. In 1814 Matthew Moss settled about eight miles northeast of Washington. He is said to have been the first man to bring a keelboat through the Great Raft of the Red River. John Bard, Hewitt Burt, Samuel McDaniel and John Stephenson came from Missouri in 1815, and the next year Robert Irvin came from Missouri. Elijah Stuart was the first to settle where the Town of Washington now stands. James Henry, a minister, located in the county in 1817, and the following year three more members of the Moss family came up the Red River. Abram Stuart and a man named Langford settled on Mound Prairie about 1817 or 1818.

In the spring of 1819 the first court of record was held in the county by Judges John English, Charles Wheaton and William Woodward. This was known as the Court of Common Pleas, which was abolished soon after Arkansas Territory was organized. The court was held at the house of John English, about eight miles northeast of the present Town of Washington. There the temporary county seat remained until 1824, when it was removed to the house of Elijah Stuart. At the same time Hewitt Burt, Samuel E. Davis, Meredith W. Edwards, James Moss and Elijah Stuart were appointed commissioners to locate a permanent county seat. They selected the site of Washington, and the records of the March term of the court in 1825 show that it "was begun and held in the Town of Washington, at the courthouse in and for the County of Hempstead," etc. Among the lawyers who practiced in this county were several who rose to prominence in Arkansas affairs, viz: Edward Cross, Daniel Ringo, John R. Eakin, Daniel W. Jones, Augustus H. Garland, Grandison D. Royston, James K. Jones and B. B. Battle.

Hempstead County is divided into the following townships: Bodcaw, Bois d'Arc, De Roane, Garland, Mine Creek, Nowland, Ozan, Redland, Saline, Spring Hill, Wallaceburg and Water Creek. Hope (see Chapter L) is the only city in the county. Washington, the county seat, dates its existence from 1824. John Johnson opened the first store there in 1826. William H. Etter began the publication of the first newspaper in February, 1840. The town was incorporated on October 8, 1836. A large part of its business district was burned on July 4, 1875. It has a bank, a weekly newspaper, electric light, several general stores, sawmills, etc., and in 1920 reported a population of 556. Fulton, on the main line of the Missouri Pacific near the Red River; McNab, on the St. Louis & San Francisco fifteen miles west of Hope; and Ozan, on the Hope & Nashville division of the Missouri Pacific fifteen miles from Hope, are incorporated towns. Bingen, on the Memphis, Dallas & Gulf in the northwest corner; Columbus, ten miles west of Washington; Patmos, on the Louisiana & Arkansas Railroad in the southeastern part; Spring Hill, near Hope; and Tokio, at the junction of the Prescott & Northwestern and the Memphis, Dallas & Gulf railroads near the northern boundary, are important villages. The population of the county in 1920 was 31,602, an increase of 3,317 in ten years.

HOT SPRING COUNTY

On November 2, 1829, Governor John Pope approved an act of the Legislature cutting off part of Clark County and erecting it into a new county to be called Hot Spring, so named from the famous springs that then lay within its boundaries. Part of the county was taken in 1873 to form Garland County, which included the springs. The county is situated southwest of the center of the state and is bounded as follows: On the north by Garland and Saline counties; on the east by Saline and Grant counties; on the south by Dallas and Clark counties, and on the west by the counties of Clark and Montgomery. Its area is 613 square miles and its topography varies from level valleys to a mountainous district in the western part.

When the county was created, the house of Alexander Rogers, near the Hot Springs, was designated as the temporary county seat. By the act of November

14, 1829, Christian Fenter, Thomas Nolman and John Wills were appointed commissioners to locate a permanent county seat. They decided in favor of Hot Springs, where it remained until 1846, when it was removed to the new Town of Rockport. In 1879 it was established at Malvern, where it has since remained. The first county officers were: W. Durham, judge; L. N. West, clerk; G. B. Hughes, sheriff; J. H. Robinson, surveyor; J. T. Grant, coroner. The county is divided into twenty townships, viz: Alford, Antioch, Big Creek, Bismarck, Brown, Butterfield, Clear Creek, De Roche, Fenter, Gifford, Harrison, Henderson, Lone Hill, Magnet Cove, Midway, Montgomery, Ouachita, Prairie Bayou, Saline and Veasey.

Prior to 1830 the settlers were principally hunters and trappers, though a number of emigrants from Alabama, Kentucky, North Carolina and Tennessee settled upon the public lands and developed farms. These "squatters," as they were commonly called, did not go to the formality of obtaining a title to their lands. The following story is told of one of them. One day a stranger approached his cabin and in the course of the conversation remarked: "This is a nice place you have here; I suppose you have a title to it." The squatter, suspecting the inquisitive stranger to be a land speculator, replied: "Certainly; if you will come in the house I will show you my deed." The visitor walked into the cabin, when the squatter pointed to a long rifle in a rack over the door and said: "Thar, stranger, is my title; what do you think of it?" The speculator, if he was one, evidently thought well of it, as the settler was not molested and afterward obtained a patent for his land.

Among the earliest actual settlers were the Deans, Fenters, Martins, Millers, Cunninghams, Millers, Gibsons, Ewings and Huddlestons. Later came the Emersons, Alexanders, Hales, Spencers, Bradleys, McClennans, Thorntons and several other families. In 1830, the first census after the county was organized, the population was 458. In 1920 it was 17,784, a gain of 2,762 in ten years.

The eastern part of the county is well supplied with railroads, the main line of the Missouri Pacific and two divisions of the Chicago, Rock Island & Pacific traversing it in various directions, but the western part has no railroad. Malvern (see Chapter LII) is the largest town. Butterfield, on the Rock Island; Donaldson, Elmore, Saginaw and Peria, on the Missouri Pacific; Point Cedar and Friendship, in the western part, are the principal villages.

HOWARD COUNTY

Howard is a comparatively new county. It was created by the act of April 17, 1873, out of territory taken from Hempstead, Pike, Polk and Sevier counties. It was named for James Howard, who represented the district composed of Clark, Pike and Sevier counties in the State Senate at the session by which the county was erected. It has an area of 602 square miles and is bounded as follows: On the north by Polk and Pike counties; on the east by Pike and Hempstead; on the south by Hempstead, and on the west by Sevier and Polk. In the northern portion it is mountainous, rolling in the central part and level toward the south end. It is drained by Saline Creek and the Clear Fork of the Little Missouri River. Farming and lumbering are the chief occupations.

About 1839 a man named Messer located a claim where Center Point (then

in Sevier County) now stands. In 1843 he sold his claim to John Russey, who started the first store in what is now Howard County. A postoffice was established there in the summer of 1848 and Mr. Russey was appointed postmaster. Other early settlers were: Henry Block, Nathan Levi, P. R. Smith, the McFalls and Hugh Cruth, who was the first mail rider, making weekly trips between Center Point and Washington.

Upon the erection of the county, J. H. Anderson, of Polk County, W. J. Hicks, of Sevier County, and W. A. Marshall, of Hempstead County, were appointed commissioners to locate the county seat. They decided in favor of Center Point, which decision was approved by a vote of the people. After the completion of the railroad to Nashville in 1884, the county seat was removed to that point. The first county officers were: J. A. Corbell, judge; O. S. Hawkins, clerk; R. G. Shaver, sheriff; Adam Boyd, treasurer; W. J. Hicks, assessor; G. L. Martindale, surveyor; Samuel Boyd, coroner.

Howard is divided into the following townships: Baker, Blackland, Blue Bayou, Blue Ridge, Brewer, Buck Range, Burg, Center Point, Clay, County Line, Dillard, Duckett, Franklin, Holly Creek, Madison, Mineral Springs, Mountain, Muddy Fork, Nashville, Saline, Saratoga, Sulphur Springs and Umpire.

Dierks and Nashville, the only towns having a population of more than one thousand, are described in the chapters on Incorporated Towns. Center Point, the former county seat, was incorporated before the Civil war and was reincorporated on May 19, 1879. It is centrally located, is a trading point for a considerable district, and has a population of 276. Athens, in the northeast corner, was incorporated on October 7, 1901. Mineral Springs, on the Memphis, Dallas & Gulf Railroad southwest of Nashville, was incorporated on May 18, 1879. It has a weekly newspaper, an electric light plant, a brick factory, general stores, sawmills, etc., and in 1920 reported a population of 777. Corinth, Saratoga and Umpire are busy little towns. The population of the county in 1920 was 18,565, a gain of 1,667 in ten years.

In July, 1883, a white farmer living in the southern part of the county was having the line between his farm and that of a negro named James Marshall surveyed. Marshall disputed the accuracy of the work and became especially enraged at J. M. Wyatt, one of the chain bearers. A fight occurred, in which Wyatt came off victor. Marshall then collected some of his colored friends, most of whom lived in Hempstead County, and went to the farm of Wyatt, literally riddling him with shotguns. A posse of seventy-five men collected by Deputy Sheriff Harkness, of Hempstead County, surrounded the negroes in a piece of woods near the Washington and Mineral Springs road. Forty-five were captured and held in custody at Center Point until the September term of court, when they were tried and convicted. Charles Wright, Henry Carr and Elijah Thompson were sentenced to be hanged, thirty-two were sentenced to prison for terms ranging from five to twenty years, and the others were acquitted.

Excitement ran high, and Governor Berry sent General Newton with a detachment of militia to preserve order. Later the governor went to the county and persuaded the citizens to let the law take its course. In April, 1884, Charles Wright was hanged, but the sentences of Carr and Thompson were commuted to twenty years' imprisonment. Subsequently most of the negroes were pardoned upon petitions signed by leading citizens of the county.

INDEPENDENCE COUNTY

Situated northeast of the center of the state is Independence County, which was created by the act of October 20, 1820, from part of Lawrence. It is bounded on the north by Izard, Sharp and Lawrence counties; on the east by Jackson County; on the south by White County, and on the west by Cleburne and Stone counties. Its area is 762 square miles. The topography ranges from valley to mountain, and the average elevation is 455 feet. The region known as Oil Trough Bottom, in the southern part, is unusually fertile and along the streams, especially the Black and White rivers, the bottoms yield large crops. Building stone and manganese are the principal mineral products. The Oil Trough Bottom is said to have derived its name from the fact that one of the early hunters was accustomed to store his bear's oil there in a trough made of a hollow tree until he was ready to take it to market.

The act creating the county directed that the seat of justice should be at the house of Charles Kelley until a permanent county seat was established. Batesville was made the county seat in 1821. The first county officers were: Richard Searcy, clerk; Charles Kelley, sheriff; John Read, coroner. James Boswell, the first county judge, was elected in 1829, and the same year C. H. Pelham was elected surveyor.

The county is divided into twenty-six townships, to wit: Ashley, Barren, Big Bottom, Black River, Christian, Craig, Cushman, Dota, Fairview, Gainsboro, Greenbrier, Hill, Huff, Jefferson, Liberty, Logan, Magness, Oil Trough, Relief, Rosie, Ruddell, Salado, Union, Washington, White River and Wycough.

There may have been hunters and trappers within the present limits of the county prior to the year 1810, but the earliest white settlement of which any authentic account can be found was in the fall of that year, when James Trimble, John L. Austin, Henderson S. and Lorenzo D. Lafferty came from Kentucky and settled at the mouth of Poke Bayou, where the City of Batesville now stands. The following spring John Trimble, father of James, with three brothers, arrived with their families in the new settlement. They made the journeyed from Kentucky in keelboats, via the Ohio, Mississippi and White rivers. Austin Lafferty was one of the early justices of the peace, and John L. Lafferty was a member of the Constitutional Convention of 1836 from Van Buren County.

Another pioneer of note was Abraham Ruddell, who was born in Virginia on August 3, 1774. When he was about six years old he was carried into captivity by the Shawnee Indians and became the adopted son of the noted chief, Tecumseh. He remained with the Indians for sixteen years. After Gen. Anthony Wayne's victory over the Indians in the battle of Fallen Timbers on August 20, 1794, he forced the Indians to enter into a treaty by which they agreed to release all white prisoners. Ruddell, then about twenty-one years of age, returned to the whites. He served as a soldier in the War of 1812, and in 1816 came to Arkansas, locating near Batesville, where he died on February 25, 1841. Ruddell Township bears his name.

The first marriage license was issued on February 12, 1826, to Robert Ivey and Lucinda Shadden. The ceremony was performed by Richard Peel, a justice

of the peace. Among the attorneys prior to the Civil war were Jesse Searcy, Franklin W. Desha, William A. Cravens, William Byers and Elisha Baxter.

The only railroad in the county is the White River Valley division of the Missouri Pacific, which runs from Newport to Kansas City, with a branch ten miles long between White River Junction and Cushman. Batesville (see Chapter L) is a city of the second class. According to the census of 1920, there were then six incorporated towns in the county—Cushman, Jamestown, Magness, Newark, Pleasant Plains and Sulphur Rock. Cushman is located in the northwestern part and is the terminus of the branch railroad above mentioned. It is a trading and shipping point, with a population of 349. Jamestown is about eight miles southwest of Batesville. It was incorporated on January 31, 1881, but has hardly fulfilled the hopes of its founders. Its population in 1920 was only 126. Magness, on the railroad fourteen miles east of Batesville, was named for one of the pioneer families. Its population is 199. Newark, seventeen miles east of Batesville, was incorporated on April 12, 1889. It has a bank, a weekly newspaper, a telephone exchange, lumber interests, general stores, etc., and a population of 906. Pleasant Plains, near the southern boundary, is sixteen miles from the railroad. It is merely a neighborhood trading center with a population of 116. Sulphur Rock, a railroad station ten miles east of Batesville, was incorporated on August 20, 1887. It has the business enterprises usually found in places with a population of only 227. There are also several small villages in the county. The population of Independence in 1920 was 23,976.

IZARD COUNTY

This county was created by the act of October 20, 1825, out of territory taken from Independence County, and was named for George Izard, the second territorial governor of Arkansas. It is situated in the north central part of the state and is bounded as follows: On the north by Fulton County; on the east by Sharp County; on the south by Independence and Stone counties, and on the west by Baxter County. The White River forms the boundary line between Izard and stone counties. The area of the county is 583 square miles and the average elevation is 700 feet. Fruit growing is an important industry. Along the White River many persons find employment in pearl fishing; that is, gathering mussel shells for the pearl button factories, of which there are five in the state. Occasionally a valuable pearl is found. The highest price, so far as known, ever paid for a White River pearl was $2,700. A considerable number have sold for $1,000, and hardly a season passes in which many $100 pearls are not found.

Izard's county seat has been removed several times. The act creating the county designated the house of Jacob Wolf as the temporary seat of justice. John Dearmon and James Jeffrey were elected commissioners to locate a permanent county seat. They selected the Town of Liberty (no longer on the map), and the county seat remained there until about 1836, when it was removed to Mount Olive, on the White River. Ten years later it was removed to Mount Vernon, and in May, 1875, it was permanently established at Melbourne, near the center of the county. The first county officers were: J. P. Houston, clerk; John Adams, sheriff. No other officers appear until 1829, when

Matthew Adams was chosen judge and H. C. Roberts, coroner. Jacob Wolf represented the county in the Territorial Legislature of 1827, the first after the county was organized.

Izard is divided into the following townships: Athens, Baker, Barren Fork, Big Spring, Bryan, Claiborne, Drytown, Franklin, Guion, Guthrie, Jefferson, LaCrosse, Lafferty, Lunenburg, Mill Creek, Mount Olive, New Hope, Newburg, Pleasant Hill, Sage, Strawberry, Union, Violet Hill and White River.

Melbourne, the county seat, was laid off by James A. Claiborne in the spring of 1875, and it was incorporated on May 4, 1878. It has saw and flour mills, a weekly newspaper, general stores, etc., and a population of 295. Calico Rock, the largest town in the county, is situated on the White River in the western part of the county. It has a weekly newspaper, a canning factory, saw and planing mills, general stores and a population of 479. Other towns are Barren Fork, Franklin, Guion, LaCrosse, Newburg, Oxford and Zion. Calico Rock, Franklin, Guion and Melbourne are banking towns. The population of the county in 1920 was 13,871.

JACKSON COUNTY

On November 5, 1829, Governor John Pope approved an act of the Legislature cutting off part of Independence County to form the County of Jackson, which was named for Andrew Jackson, then President of the United States. It is bounded on the north by Lawrence County; on the east by the counties of Craighead, Poinsett and Cross; on the south by White and Woodruff counties, and on the west by the counties of Independence and White. Its area is 634 square miles, drained by the Black, Cache and White rivers, and the surface is generally level, with fertile valleys along the streams.

The first court was held at the house of Thomas Wideman on May 3, 1830. By the act of October 26, 1831, it was directed that commissioners be chosen the following January to locate a permanent county seat. They selected the Town of Litchfield, where it remained until 1839, when it was taken to a place called Elizabeth. Neither Litchfield nor Elizabeth appear on modern maps. In 1852 Augusta (now in Woodruff County) was made the county seat, but two years later it was removed to Jacksonport, on the White River near the present western boundary. After the completion of the Iron Mountain Railroad between Little Rock and St. Louis, the county seat was removed to Newport.

When the county was created, the population was less than three hundred, and the only roads were mere bridle paths connecting the few scattering settlements. A post office was established at Litchfield about the first of January, 1831, with John C. Saylors as postmaster. This was the first postoffice in the county. Litchfield was located about two miles east of the present Town of Newport and was on the mail route from Strong's, St. Francis County, to Batesville. The site of Litchfield is now a farm. Among the early judges who held court in Jackson County were Thomas P. Eskridge, Edward Cross and Archibald Yell. Joseph M. Bell, William R. Jones, James H. Patterson and Lucien C. Gause were among the lawyers who practiced in this county prior to the Civil war. The first county officers were: Hiram Glass, judge; J. C. Saylors, clerk; Isaac Gray, sheriff; M. Copeland, coroner.

Jackson County is divided into fourteen townships, to wit: Barren, Bateman, Bird, Breckenridge, Bryan, Cache, Cow Lake, Glaize, Glass, Grubbs, Jefferson, Richwoods, Union and Village. Two divisions of the Missouri Pacific, the Brinkley & Newport branch of the Chicago, Rock Island & Pacific, and a branch of the St. Louis & San Francisco system furnish railroad transportation to practically all parts of the county.

Newport (see Chapter LII) is the largest town. Grubbs, on the St. Louis & San Francisco Railroad in the eastern part, is an incorporated banking town, with a population of 300, and is an important shipping point. Jacksonport, on the White River a few miles above Newport, was incorporated on December 17, 1852, and in 1920 reported a population of 318. Swifton, on the main line of the Missouri Pacific in the northern part, was incorporated on April 21, 1890. It has a bank, a telephone exchange, an ice and cold storage plant, several woodworking concerns, and a population of 450. Tuckerman, on the Missouri Pacific ten miles north of Newport, was incorporated on November 18, 1891, and in 1920 had a population of 778. It is a banking town, with an electric light plant, several well stocked stores, etc. Tupelo, an incorporated banking town on the Rock Island near the southwest corner, has several sawmills, a handle factory, general stores, and a population of 317. The population of the county in 1920 was 25,446, an increase of 1,945 over the census of 1910.

JEFFERSON COUNTY

The territory comprising this county was taken from the counties of Arkansas and Pulaski by the act of November 2, 1829. It was named for Thomas Jefferson, third President of the United States, and is bounded as follows: On the north by Pulaski and Lonoke counties; on the east by Arkansas and Desha; on the south by Lincoln and Cleveland, and on the west by Grant County. It has an area of 903 square miles of fertile valley and upland, and is one of the leading cotton counties of the state. The Arkansas River flows through the county and affords ample drainage.

Thwaites' "Early Western Travels" (vol. xiii, p. 140) says: "It is said that the first white man in Jefferson County was Leon Le Roy, one of Tonti's men, who deserted from the (Arkansas) Post in 1690. He was held in captivity for fourteen years by the Osage, and when he escaped was captured and adopted by the Quapaw, to whom he taught the use of firearms. When the Quapaw treaty of 1818 was made, one of the chiefs gave the commissioners, as an emblem of friendship, a gun said to be the one which Le Roy had a century earlier taught the Quapaw to use. This weapon is preserved in the Smithsonian Institution at Washington."

A few squatters came upon the old hunting grounds of the Quapaw prior to 1819, but the first permanent white settler in the county was Joseph Bonne, a French hunter and trapper, who located on the site of Pine Bluff in 1819. He built a wigwam on the bank of the Arkansas River and lived there with no companion except his dog for several years. The site of this wigwam was washed away by the river. Other pioneers were: John Derresseaux, a man named Prewett, Ambrose Bartholomew, Antoine Duchesson, David Musick, Euclid Johnson, Israel Dodge, Francis Villier, the Dardennis and the Vaugine

families, Antoine Barraque and a few others, all of whom settled near the river.

The act creating the county provided that "the temporary seat of justice shall be at the house of Joseph Bone (Bonne) until otherwise provided for by law." Two weeks later another act authorized the election of commissioners to locate a permanent county seat, but as the county records prior to 1837 have not been preserved, it is not known who the commissioners were. In the spring of 1832 the seat of justice was moved to the house of Antoine Barraque, three miles below Pine Bluff on the same side of the river, and by the act of November 1, 1833, Louis Bougy, Samuel Taylor and Etheldred Varsier were named as commissioners to contract for and superintend the erection of a jail. The jail was built at Pine Bluff, which had been selected by popular vote as the permanent county seat at an election held in August, 1832. The first county officers were: W. P. Hackett, judge; J. T. Pullen, clerk; Creed Taylor, sheriff; Peter German, coroner; N. Holland, surveyor.

Jefferson County is divided into the following townships: Barraque, Bogy, Bolivar, Dudley Lake, Dunnington, Jefferson, Melton, Niven, Old River, Pastoria, Plum Bayou, Richland, Roberts, Spring, Talladega, Vaugine, Victoria, Villemont, Washington and Whiteville.

The legal fraternity of Jefferson County has always been one of prominence. In a list of the members of the bar may be found the names of Samuel C. and John S. Roane, James Yell, J. W. Bocage, R. W. Johnson, A. B. and William P. Grace, Ira McL. Barton, W. E. Hemingway, M. L. Jones and John M. Taylor, all of whom were prominent, both in law and political affairs.

Two lines of the Missouri Pacific railway system and the main line of the St. Louis Southwestern form connections at Pine Bluff and a branch of the latter system runs from Altheimer to Little Rock. These roads supply all parts of the county with transportation facilities. In the early days, when steamboats operated on the Arkansas River, Pine Bluff was an important shipping point.

Pine Bluff (see Chapter L) is the third city of the state in population. The incorporated Town of Altheimer is situated in Plum Bayou Township, about ten miles northeast from Pine Bluff. It has a bank, a handle factory, general stores, etc., and a population of 450. Redfield, on the Missouri Pacific near the northwest corner, was incorporated on October 29, 1898. It has a sawmill, a canning factory, a population of 296, and is a trading and shipping point for a rich farming district. The principal villages are English, Ladd, Sherrill, Tucker and Wabbaseka. In 1920 the county reported a population of 60,330, an increase of 7,596 in ten years.

JOHNSON COUNTY

Johnson County was created from part of Pope County by the act of November 16, 1833, and was named for Benjamin Johnson, who was appointed one of the territorial judges in 1820 and held the office until the state was admitted in 1836. He was a descendant of one of the old families of Virginia, learned in the law, and after Arkansas was admitted he held the office of Federal district judge until his death in 1849. His son, Robert W. John-

son, represented Arkansas in the Lower House of Congress from 1847 to 1853. The county is located in the northwestern part of the state and has an area of 675 square miles. On the north it is bounded by Madison and Newton counties; on the east by Pope County; on the south by the Arkansas River, which separates it from Logan County, and on the west by Franklin County. The surface is diversified, ranging from the Valley of the Arkansas in the southern part to the mountainous region in the northern part. Considerable coal mining is done in this county.

The act creating the county directed that the temporary seat of justice should be at the house of Elijah B. Alston, one of the pioneers, and that commissioners should be elected in January, 1834, to locate a permanent county seat. Some delay occurred and it was not until 1836 that the county seat was established at Clarksville, where it has since remained. The first county officers were: George Jameson, judge; Thomas Janette, clerk; S. F. Mason, sheriff; J. P. Kessie, coroner. Felix I. Batson, W. W. Floyd and Jordan E. Cravens were among the leading lawyers of the county before the Civil war.

About five miles north of Clarksville is a cave, known as the "Rock House," in an outcrop of red sandstone. It extends into the rock for some twenty-five feet and is divided into two rooms connected by an archway which has the appearance of having been washed out by some ancient flood. On the walls of one of the rooms is an example of Indian picture writing, consisting of figures of what seem to be turtles, lizards and other reptiles. These hieroglyphics have never been translated.

The county is divided into twenty-two townships, to wit: Batson, Dickerson, Grant, Hickey, Hill, Horsehead, Howell, King, Lee, Low Gap, McKennon, Mulberry, Perry, Pilot Rock, Piney, Pittsburg, Prairie, Red Lick, Sherman, Spadra, Stonewall and Ward.

The only railroad in the county is the Little Rock & Fort Smith division of the Missouri Pacific system, which follows the course of the Arkansas River. Clarksville and Coal Hill (see Chapter LI) are the largest towns. Lamar (railroad name, Cabin Creek) is an incorporated banking town on the railroad five miles east of Clarksville. It has a weekly newspaper, sawmills, a large stone quarry, general stores, and a population of 542. Montana and Spadra are coal mining towns. Other villages are Hartman, Knoxville, Linville and Piney. The population of the county in 1920 was 21,062, a gain of 1,364 in ten years.

LAFAYETTE COUNTY

Situated in the southwest corner of the state is Lafayette County, which was created by the act of October 15, 1827, from part of Hempstead County, and was named for the Marquis de Lafayette, who came from France and fought on the side of the Americans in the Revolutionary war. It is bounded on the north by Hempstead and Nevada counties; on the east by Columbia County; on the south by the State of Louisiana, and on the west by the Red River, which separates it from Miller County. Its area is 525 square miles of fertile valley and rolling upland, well adapted to farming and stock raising.

The act creating the county designated the house of Joshua Morrison as the temporary county seat, but ten days later an act was passed authorizing an

election for commissioners to locate a permanent county seat. As the early records are defective, it is not known who were elected as commissioners, but they fixed the county seat at a place owned by a man named Wright on Chickaninny Prairie, where a log courthouse was erected. About 1840 Lewis B. Fort entered a tract of land near the Bayou Badeau in the northern part of the county, but soon afterward sold it to J. N. Wilson, who offered to give the county enough land for a new county seat. The offer was accepted and a town called Lewisville (see Chapter LII) was laid off. A brick courthouse was built there in 1842. The first county officers were: Jesse Douglas, clerk; Joshua Morrison, sheriff; J. T. Conway, surveyor; J. W. Ward, coroner. No judge was elected until 1829, when Jacob Buzzard was chosen.

Among the early settlers were Joshua and Moses Morrison, Thomas Bradshaw, George Hill, James S. Conway, the first state governor; John Caffery, Morehead Wright, Josiah N. Wilson, W. A. Higgs, Lewis B. Fort, Solomon Ruggles and a man named Frenchard. The county is divided into the following townships: Baker, French, Hadley, La Grange, Mars Hill, Roane, Russell, Steel and Walker.

The Louisiana & Arkansas and the St. Louis Southwestern railroads furnish the means of travel and transportation to all sections of the county. Besides Lewisville and Stamps, there are several smaller towns, the most important of which are Bradley, Buckner, Canfield, New Lewisville and Walnut Hill. The population of the county in 1920 was 15,522.

The first term of court ever held in the county was held at the house of Joshua Morrison on July 21, 1828, Judge William Trimble presiding. Thomas Hubbard was prosecuting attorney and George Dooley was foreman of the grand jury. Burrell B. Battle, afterward one of the judges of the Supreme Court, once practiced law in Lafayette County.

LAWRENCE COUNTY

As created by the act of the Missouri Legislature, approved on January 15, 1815, the boundaries of this county were as follows: "Beginning at the mouth of the Little Red River on the line dividing said (New Madrid) county from the County of Arkansas; thence with said line to the River St. Francois; thence up the River St. Francois to the division line between the counties of Cape Girardeau and New Madrid; thence with the said last mentioned line to the western boundary line of the Osage purchase; thence with the last mentioned line to the northern boundary line of the County of Arkansas; thence with the last mentioned line to the place of beginning."

These boundaries included more than half of the northern half of the present State of Arkansas and a strip across the southern part of Missouri. New counties have been carved out of this region until Lawrence now contains an area of only 592 square miles, bounded as follows: On the north by the counties of Sharp, Randolph and Greene; on the east by the counties of Greene and Craighead; on the south by the counties of Craighead, Jackson and Independence, and on the west by the County of Sharp. It was named in honor of Capt. James Lawrence, commander of the American vessel Chesapeake in the War of 1812, who was mortally wounded in the engagement with the British

ship Shannon, and whose last words were: "Don't give up the ship," an admonition that spurred his men to greater efforts and finally to victory.

As early as 1804 a few white persons settled along the Black and White rivers, and it is possible that some of them may have located their claims within the present limits of Lawrence County. Between the years 1811 and 1815 there was a steady stream of immigrants from Missouri and the states east of the Mississippi. It was this rapid settlement that influenced the Missouri Legislature to create a new county in 1815. Among the early settlers were: Andrew Criswell, William Hix, Morris Moore, Solomon Hewitt, William Looney, James Hadlock, and John Miller. A settlement was formed at the mouth of the Spring River, beginning about 1811 or 1812. Here Jason, Staples and Stephen Chamberlain, John Lewis, Sr., John Lewis, Jr., Jacob Garrett, James Taylor, Benjamin A. Porter, William Cox and a few others located. In the fall of 1815 this settlement was selected as the seat of justice for Lawrence County and was named Davidsonville. Richard Searcy was appointed clerk, and Joseph Hardin, sheriff, in 1819, and were the first county officers.

The first postoffice in what is now the State of Arkansas was established at Davidsonville in June, 1817, with Adam Richie as postmaster. In March, 1821, Reuben Lewis laid out an addition to the town and offered to give 5 per cent of the proceeds arising from the sale of lots for the erection of a church. In August, 1829, the name of the town was changed to Jackson. Three years later the county seat was removed to Smithville, and Davidsonville began to decline. It is now only a memory. Changes in boundary lines made another removal of the county seat necessary, and in 1868 it was located at Clover Bend, near the center of the present county. The following year it was located at Powhatan, and after the completion of the Iron Mountain Railroad, Walnut Ridge was made a county seat, so that the county now has two seats of justice.

Lawrence is divided into nineteen townships, to wit: Ashland, Black River, Black Rock, Boas, Cache, Campbell, Dent, Duty, Flat Creek, Jesup, Lawrence, Marion, Morgan, Promised Land, Reeds Creek, Richwoods, Spring River, Strawberry and Thacker.

There are a number of towns and villages in the county. Hoxie and Walnut Ridge are described in the chapters on Incorporated Towns. Alicia, on the Missouri Pacific Railroad near the southern boundary, was incorporated on August 19, 1899, and in 1920 had a population of 297. Black Rock, at the point where the St. Louis & San Francisco Railroad crosses the Black River, has a population of 835. Imboden, near the northwest corner, was incorporated on April 22, 1899, and has a population of 318. Minturn, on the Missouri Pacific seven miles south of Walnut Ridge, has a population of 278. Portia, on the St. Louis & San Francisco about half way between Hoxie and Black Rock, has a population of 519. Powhatan, the western county seat, was incorporated on January 12, 1853, and is the oldest incorporated town in the county. It is not on a railroad and has never grown to be the town its founders anticipated. The population in 1920 was only 134. The lumber industry is the principal one in most of these towns. Alicia, Black Rock, Imboden and Portia are banking towns. Denton, Lynn, Smithville, Clover Bend and Strawberry are the most important villages. The population of the county in 1920 was 22,098, an increase of 2,097 in ten years.

CHAPTER XLIV

COUNTIES—LEE TO NEWTON

LEE COUNTY—LINCOLN COUNTY—LITTLE RIVER COUNTY—LOGAN COUNTY—LONOKE COUNTY—MADISON COUNTY—MARION COUNTY—THE TUTT-EVERETT FEUD—MILLER COUNTY—UNCERTAIN BOUNDARIES—THE COUNTY DISORGANIZED—REORGANIZED IN 1874—MISSISSIPPI COUNTY—MONROE COUNTY—MONTGOMERY COUNTY—NEVADA COUNTY—NEWTON COUNTY—DIAMOND CAVE—LOCATION AND BOUNDARIES OF EACH COUNTY—WHEN CREATED—FIRST OFFICERS—EARLY SETTLEMENTS—RAILROADS—INDUSTRIES—POPULATION—TOWNS AND VILLAGES, ETC.

LEE COUNTY

Lee is one of the eastern border counties. It is bounded on the north by St. Francis County; on the east by Crittenden County and the Mississippi River, which separates it from the State of Mississippi; on the south by Phillips County, and on the west by Monroe County. Its area is 601 square miles and, with the exception of Crowley's Ridge, which runs north and south through the central part, is of alluvial formation. It is drained by the L'Anguille, Mississippi and St. Francis rivers. The soil, especially east of the ridge, is exceedingly fertile.

The county was created by the act of April 17, 1873, from parts of Crittenden, Monroe, Phillips and St. Francis counties. It was named for Gen. Robert E. Lee and is now divided into the following townships: Bear Creek, Big Creek, Council, Fleenor, Hampton, Hardy, Independence, Liberty, Oak Forest, Richland, St. Francis, Spring Creek, Texas, Union and Walnut.

The act creating the county designated Marianna as the temporary seat of justice and it was afterward made the permanent county seat. The first county officers were: M. H. Wing, clerk; W. H. Furbush, sheriff; B. B. Nunnally, treasurer; S. M. Wiley, surveyor; George H. W. Stuart, assessor; J. Roberts, coroner. No county judge was elected until 1874, when E. H. Black was chosen and held the office for eight years.

The first settlements in what is now Lee County were made long before the county was created and are referred to in the history of the older counties from which Lee was taken. The county is one of the rapidly growing and most progressive in the state. In 1910 the census showed a population of 24,252, and in 1920 it was 27,773. In 1919 the people voted in favor of the construction of more than one hundred miles of modern highways.

Two lines of the Missouri Pacific railway system form a junction at Marianna, and the Missouri & North Arkansas crosses the southwestern part of the county. Marianna (see Chapter L) is the only city. Moro, the only incorporated town, is located on the Missouri & North Arkansas Railroad in the western part and has a population of 265. It has a bank, several sawmills and wood-

working concerns and is connected by telephone with the surrounding towns. Allen, Haynes, La Grange, Park Place, Rondo and Wrightland are the principal villages.

LINCOLN COUNTY

By the act of March 28, 1871, parts of Arkansas, Bradley, Desha, Drew and Jefferson counties were taken to form a new county, which was named Lincoln, in honor of Abraham Lincoln, the sixteenth President of the United States. On October 14, 1871, at a special election, a vote was taken upon the removal of the county seat from Cane Creek Church to a site nearer the geographical center of the county. The vote was 582 in favor of removal to 213 opposed, and Francis H. Sawyer, John G. Simmons and William S. Stidham were appointed commissioners to make the location. On December 11, 1871, they reported that they had ascertained Section 11, Township 9, Range 7, to be the center of the county; that the northwest quarter of said section was the proper location for the seat of justice, and suggested the name of Star City for the new county seat. On April 16, 1872, the court ordered a courthouse to be erected on the public square, to cost not more than $40,000.

In 1880 an effort was made to secure the removal of the county seat to Varner, but it was defeated at the polls by the voters. R. R. Rice offered to give a site for a courthouse at Varner. The proposition was accepted and that place was made the seat of justice for the eastern part of the county.

The first settlements in what is now Lincoln County were made along the Arkansas River. Among the pioneers were Shelby Richardson, Dr. C. M. Taylor, W. F. Varner, F. R. Smith, William Adkins, William Sanders, Calvin Jones, J. E. Cox, J. L. Hunter, John Sweeney, the Pendletons, the Atkinsons, the Bachelors and a few other families. Lincoln County is divided into the following townships: Auburn, Bartholomew, Cane Creek, Choctaw, Gould, Kimbrough, Lone Pine, Mill Creek, Owen, Smith, Spring and Wells Bayou.

Lincoln County is situated in the southeastern part of the state and is bounded as follows: On the north by Jefferson County; on the east by Desha; on the south by Drew, and on the west by Cleveland and Jefferson. It has an area of 571 square miles, mostly level surface and fertile soil. Ex-Governor Lowden, of Illinois, owns a large cotton plantation in this county. The first county officers were: George H. Joslyn, judge; Alfred Wiley, clerk; J. C. Chestnut, Jr., sheriff; J. J. Joslyn, treasurer; W. S. Stidham, surveyor; T. H. Sawyer, assessor.

Star City, the western county seat, was incorporated on July 3, 1876, and J. S. Goodwin was elected the first mayor. It is the terminus of a short line of railroad called the Gould Southwestern, which connects with the Missouri Pacific at Gould, in the eastern part of the county. The town has a bank, a weekly newspaper, large lumbering and cooperage interests, cotton gins, several churches, a graded school, mercantile establishments, etc., and in 1920 reported a population of 616. On July 13, 1921, a large part of the business section was destroyed by fire. Douglas, Grady, South Bend and Varner are incorporated towns. Cornerville, Cummins, Tyro and Yorktown are thriving villages. In 1920 the county reported a population of 18,774, an increase of 3,656 in ten years.

LITTLE RIVER COUNTY

This county occupies the southwest corner of the state. It is bounded on the north by Sevier County; on the east by Hempstead; on the south by Miller County and the State of Texas; and on the west by the State of Oklahoma. It is separated from Sevier County by the Little River, from which it takes its name. The area is 546 square miles, of valley and gently undulating uplands, with fertile soil well adapted to farming and fruit growing.

The county was created by the act of March 5, 1867, out of territory taken from the counties of Hempstead and Sevier. The temporary seat of justice was fixed at the house of William Freeman, who lived near the present Town of Foreman. In 1868 Rocky Comfort was made the county seat, the first term of the Circuit Court being held there, beginning on August 4, 1868. In 1880 the county seat was removed to Richmond and after the advent of the railroads it was changed to Ashdown as more centrally located and easy of access. The first county officers were: L. H. Davis, judge; J. A. Slaver, clerk; W. M. Freeman, sheriff; C. A. Straun, treasurer; L. Anderson, assessor; James Birde, surveyor; P. J. Sandefur, coroner.

One of the earliest settlers in the county was a Doctor Boyd, who developed a plantation on Walnut Prairie. In 1836 he sold out to Benjamin F. Hawkins, who came from Tennessee with his brother, Henry A. Hawkins, bringing their families. Andrew Hemphill located near Richmond, Thomas French, Benjamin Hartfield, George Taaffe, Benjamin Lane and a man named Hamilton settled in the western part of the county. Jesse McLendon and John Owen located on the Red River in the southeastern part. Benjamin F. Hawkins was a delegate from Sevier County to the state convention of 1861, and George Taaffe represented that county in the second State Legislature in 1838.

Little River is divided into fifteen townships, viz: Arden, Arkinda, Burke, Caney, Cleveland, Franklin, Jackson, Jeff Davis, Jefferson, Johnson, Lick Creek, Little River, Red River, Richland and White Cliffs. The courthouse and county records were destroyed by fire on February 2, 1883.

The Kansas City Southern, the Memphis, Dallas & Gulf and the St. Louis & San Francisco railroads center at Ashdown (see Chapter LI) and afford good transportation facilities to all parts of the county. Arkinda, near the western boundary, was incorporated on October 7, 1901, and has a population of 148. Foreman (see Chapter LI) is the second largest town in the county. Wilton, incorporated on Janury 29, 1884, is situated on the Kansas City Southern, a few miles northwest of Ashdown and has a population of 285. Winthrop, on the same line of railway near the northwest corner, is also an incorporated town with a population of 250. These are the banking towns of the county, and all are interested in the lumbering industry. Richmond, the former county seat, is situated in the south central part. Pine Prairie, on the Red River south of Ashdown; Ogden, on the Kansas City Southern near the southern boundary; Aleene, on the same railroad in the northwestern part, and White Cliffs, on the Memphis, Dallas & Gulf, are the principal villages. In 1920 the population of the county was 16,301, an increase of 2,704 in ten years.

LOGAN COUNTY

On March 22, 1871, Acting Governor Hadley approved an act of the General Assembly creating a new county from parts of Franklin, Johnson, Scott and Yell counties. The new county was named Sarber, for John N. Sarber, senator from the Sixth District, composed of the counties of Johnson, Newton and Yell counties. By the act of December 15, 1875, the name was changed to Logan, in honor of James Logan, one of the pioneers in that section of the state. The temporary county seat was located at a place called Reveille, which does not appear on modern maps. C. P. Anderson, James S. Garner and James L. White were appointed commissioners to locate a permanent county seat. It seems that they failed to perform their duty, and in 1873 Daniel R. Lee, James R. Saferry and James A. Shrigley were appointed. They decided in favor of Paris, and subsequently Booneville was made a seat of justice for the southwestern part of the county. The first county officers were: Nathan Ellington, judge; James A. Shrigley, clerk; James S. Garner, sheriff; Daniel R. Lee, treasurer; W. E. Griffith, surveyor; R. B. Chitwood, assessor.

Logan is situated northwest of the center of the state and is bounded as follows: On the north by Franklin and Johnson counties; on the east by Yell County; on the south by Yell and Scott counties, and on the west by the counties of Sebastian and Franklin. Its area is 726 square miles, and the elevation varies from 500 to 3,000 feet. Magazine Mountain is said to be the highest point between the Allegheny and the Rocky mountains. The soil in the valleys is fertile, while the hill lands are well adapted to fruit growing. Stock raising and lumbering are important industries.

The county is divided into the following townships: Barber, Bear Wallow, Blue Mountain, Boone, Cane Creek, Cauthron, Clark, Delaware, Driggs, Ellsworth, Johnson, Logan, Mountain, Petit Jean, Reveilee, River, Roseville, Shoal Creek, Short Mountain, Six Mile, Sugar Creek, Titsworth, Tomlinson and Washburn.

Some of these townships are named after pioneer settlers, especially Cauthron, Logan, Titsworth and Washburn. Walter Cauthron first visited Arkansas in 1821. He returned to his old home in Illinois, where he married Bashaba Wilson, and in 1824 settled in the Petit Jean Valley. Three years later he located near the present Town of Booneville, where he built a cotton gin and opened a store. His son, Charles Cauthron, was elected to the Legislature from Scott County in 1850. James Logan, for whom the county was named, was a Kentuckian by birth. About 1829 he came to Arkansas and was a member of the first State Legislature from Scott County. He died in 1859. Titsworth Township was named for John Titsworth, who with his two sons settled near Short Mountain in 1814. Several persons who had been rendered homeless by the New Madrid earthquake settled in Logan County, and after the Cherokee Indians were placed in possession of the country north of the Arkansas River in 1818, several of the settlers there came into Logan County. Washburn Township was named for Rev. Cephas Washburn, who established the Dwight Mission near the mouth of the Illinois Creek in Pope County.

Of the towns in the county, Booneville and Paris are described in the chapters on Incorporated Towns. Magazine, on the Chicago, Rock Island & Pacific

Railroad a few miles west of the mountain from which it derives its name, was incorporated on February 18, 1878, and in 1920 reported a population of 772. Ratcliff, on the Arkansas Central about ten miles west of Paris, is also an incorporated town, with a population of 257. Blue Mountain, Morrison Bluff, once a noted steamboat landing on the Arkansas River; Prairie View and Shoal Creek and Sugar Grove are the most important villages. The two county seats, Magazine and Ratcliff, are the banking towns of the county. Logan's population in 1920 was 25,866.

LONOKE COUNTY

By the act of April 16, 1873, sections of Prairie and Pulaski counties were cut off to form a new county, which was named Lonoke. It is said the name was derived from a "lone oak" tree which stood on the site of the present Town of Lonoke and which was used as a landmark by George P. C. Rumbough when he was surveying the lands of the county. The act creating the county designated the Town of Lonoke as the seat of justice, and George M. Chapline, Thomas Doyle and William Goodwin were appointed commissioners, who, under the direction of the county court, were to purchase lots for the county buildings. The first courthouse was a building that had been used as the courthouse of Prairie County, but which had been removed to Lonoke from Brownsville. It was destroyed by fire in 1881, but the records were saved. The square where the present courthouse stands was donated to the county by C. T. Thompson and Walton Harris in 1875.

Lonoke is divided into the following townships: Butler, Carlisle, Caroline, Cleveland, Crooked Creek, Eagle, Fletcher, Furlow, Goodrum, Gray, Gum Woods, Hamilton, Indian Bayou, Isbell, Lafayette, Lonoke, Magness, Oak Grove, Pettus, Prairie, Pulaski, Richwoods, Scott, Totten, Walls, Ward, Williams and York.

The county is situated in the central part of the state. On the north it is bounded by White County; on the east by Prairie and Arkansas counties; on the south by Jefferson, and on the west by Faulkner and Pulaski counties. Its area is 807 square miles, drained by numerous creeks and bayous, and the soil is generally fertile. The first rice grown as a commercial proposition in Arkansas was grown in this county. Dairying is an important industry.

The first settlements in what is now Lonoke County were made in the northwest part. As early as 1821 Sampson Gray came from Tennessee and settled on Moss Prairie. He was followed by Francis Secrist, James Dunnaway, S. C. Moss, William Sanders, Sr., William Sanders, Jr., Drury Dobbins, James Erwin, Joseph Stillwell, John Reynolds, Hamilton Reynolds, Lot Johnson, Josephus Tucker, John Harrod and a few others, all of whom came to Arkansas while it was still a territory. Game was plentiful in early days, and the pioneers depended largely upon their trusty rifles to provide a supply of meat for their families. Andrew J. Legate, who came to the county in 1842, used to tell of killing five bears one morning before breakfast.

The main line of the Missouri Pacific Railroad crosses the northwest corner, with stations at Austin, Cabot and Holland. The Chicago, Rock Island & Pacific runs east and west through the central portion, and the St. Louis Southwestern provides transportation for the southwestern part. The Pine Bluff & Northern

runs southward from McCreanor on the Rock Island, six miles east of Lonoke. The population of the county in 1920 was 33,400, a gain of 5,417 over the census of 1910.

Lonoke and England, the largest towns, are described in other chapters. Austin was incorporated on October 22, 1895, and in 1920 reported a population of only 163. Carlisle, on the Rock Island nine miles east of Lonoke, was incorporated on July 1, 1878. It is a banking town, has a weekly newspaper, foundries and machine shops, a rice mill, a telephone exchange, general stores, and a population of 602. Cabot, on the Missouri Pacific, was incorporated on February 22, 1897. It has a weekly newspaper, a bank, two nurseries, a telephone exchange, etc., and a population of 477. Keo, an incorporated banking town on the St. Louis Southwestern, has large lumber interests, general stores, etc., and a population of 325. Butlerville, Kerra, Pettus and Tomberline are thriving villages and local trading centers.

MADISON COUNTY

This is one of the northwestern counties. It is bounded on the north by Carroll County; on the east by Carroll and Newton; on the south by Franklin and Johnson, and on the west by Washington and Benton. Its area is 836 square miles, and the average elevation is 1,200 feet. It is drained by numerous small streams, but less than one-half of the county is suitable for agriculture. The hill lands are well adapted to fruit growing and stock raising.

The county was created by the act of September 30, 1836, from part of Washington County, and was named in honor of James Madison, the fourth President of the United States. The first session of the County Court was held in the barn of Evan S. Polk, a little northwest of the present Town of Huntsville. Later sessions were held at the house of John Sanders until July 22, 1839, when Huntsville was declared the permanent county seat. The first courthouse was a hewed log structure, about thirty feet square, erected at a cost of $150. A brick courthouse was built in 1845 and served until 1863, when it was burned by the Federal troops. After the war sessions of the court were held at the house of John Vaughan and in the Masonic hall until a new courthouse was completed in January, 1871. It was destroyed by fire on December 1, 1879, and the next courthouse was completed in October, 1882. The first county officers were: John Bowen, judge; H. B. Brown, clerk; P. M. Johnson, sheriff; H. C. Daugherty, treasurer; T. McCuiston, surveyor; M. Perryman, coroner.

Madison is divided into the following townships: Alabama, Baldwin, Ball Creek, Bohannon, Boston, Bowen, California, Goodwill, Hilburn, Independence, Japton, Kentucky, Kings River, Lamar, Lincoln, Marble, Mill Creek, Piney, Prairie, Purdy, Richland, Union, Valley, Venus, War Eagle, Wharton and White River.

There is a tradition that Daniel and Thomas Jackson settled on Jackson's Creek in 1818, but it was probably not until some years later. In the summer of 1827 John J. Coulter, Thomas Cunningham and Henry King came from Alabama on a prospecting excursion. King died on the stream which bears his name and the other two men returned to Alabama. In the fall of 1829, William and Benjamin F. King, William Adair, Charles Burney, Turner Hamb-

let, Lemuel and Thomas Rogers came as a colony from Alabama and settled in the Kings River Valley, where they found Leonard Koker, who had come the preceding year and had cleared a patch of about three acres. He sold his improvements to Turner Hamblet.

In the meantime Daniel and Samuel Vaughan and George Tucker, of Washington County, explored the western part of Madison, in the spring of 1828. In the fall of that year George Tucker drove from Cane Hill to what is known as Sheridan bottom, and is credited with having been the first man to drive a wagon into Madison County. The same year John and Stephen Holmesly, Michael Masters, George Howery, and one or two others settled within the present county limits. William McElhaney settled in what is now War Eagle Township in 1833, and his son Wiley, born that year, was still living upon the farm in the spring of 1921.

The great need of Madison County is railway transportation. A line of the St. Louis & San Francisco systems enters the couny near the southwest corner and runs eastward to Pettigrew. At Combs, on this road, a short railroad called the Combs, Cass & Eastern begins and runs south into Franklin County. Huntsville, the county seat, was platted in July, 1839, by Evan S. Polk, John Sanders and others. It was incorporated on November 24, 1852, and on November 3, 1877, it was reincorporated. It has a bank, a weekly newspaper, a canning factory, a flour mill, a telephone exchange, a hub and spoke factory, general stores, public schools and a population of 500. St. Paul, on the St. Louis & San Francisco Railroad, is the only other incorporated town in the county. It has a weekly newspaper, a bank, three sawmills, a population of 284, and is a trading and shipping point for a considerable district. The principal villages are Aurora, Combs, Hindsville, Kingston, Pettigrew and Redstar. Hindsville, Kingston and Pettigrew are banking points. The population of the county in 1920 was 14,918.

MARION COUNTY

Marion is one of the northern border counties. It is bounded on the north by the State of Missouri; on the east by Baxter County; on the south by Searcy County, and on the west by Searcy and Boone counties. The White River forms part of the eastern boundary. The county has an area of 646 square miles, drained by the White and Buffalo rivers and their tributaries, and an average elevation of 784 feet. Farming, stock raising, lead and zinc mining are the principal occupations.

Marion was created by the act of November 3, 1835, out of territory taken from Izard County. It was at first called Searcy County, but by the act of September 29, 1836, the name was changed to Marion, in honor of Gen. Francis Marion, one of the American generals in the Revolutionary war. The first county officers were: T. E. Everett, judge; William Kavanaugh, clerk; R. B. Tutt, sheriff; J. B. Hudson, treasurer; I. N. Everett, surveyor; William Murphy, coroner. The temporary county seat was ordered to be at the house of Thomas Adams, but commissioners appointed to select a site for a permanent county seat located it at Yellville, near the center of the county, and there it has remained.

This county was the scene of Arkansas' only feud. Soon after the state was admitted, two factions sprang up to control the county offices. One faction, led by the Everett family, was Democratic and the other, led by the Tutt family, belonged to the Whig party. For several years there were quarrels on election day, but serious trouble did not occur until June, 1844. Then rocks, brickbats, clubs, etc., were called into requisition and several persons were injured. After that nearly every voter in the county was aligned with one or the other of the factions. Pistols took the place of clubs. At one election three men were killed and several were wounded. Several arrests were made, but the guards and prisoners got into a fight and three of the latter were killed. The sheriff belonged to the Everett faction and tried to make other arrests, but failed to find his men. Upon an appeal to Governor Roane, he sent Capt. Allen Wood with a company of militia into the county to restore order. The Everetts and their chief supporters fled to Searcy County. Wood followed and arrested the leaders, who were taken to the jail at Smithville for safekeeping. A mob attacked the jail and liberated the prisoners, who lost no time in getting into Texas. As the leaders of the Tutt faction had nearly all died or been killed, the flight of the Everetts to Texas ended the feud.

The townships of Marion County are as follows: Bearden, Big Creek, Big Springs, Blythe, Buffalo, Cedar Creek, Crockett, Crooked Creek, De Soto, Dodd City, Franklin, Hampton, Independence, James Creek, Jefferson, Joe Burlison, Keesee, Keeter, Liberty, North Fork, Prairie, Sugarloaf, Summit, Union, Water Creek and White River.

Yellville, the county seat, is the only incorporated town. Its site was selected not only because it was near the center of the county, but also because it was on the road between Batesville and Fayetteville, one of the early highways of Arkansas. It is about three miles south of the Newport & Kansas City division of the Missouri Pacific, which is the only railroad in the county. It was incorporated on January 3, 1855, and in 1920 reported a population of 615. It was named for Archibald Yell, the second governor of the state, has two weekly newspapers, a flour mill, general stores, public schools, churches of several different denominations, and is a banking and trading point for a large part of the county. Dodd City, Flippin and Oakland are the principal villages. The population of the county in 1920 was 10,154.

MILLER COUNTY

By the act of April 1, 1820, part of Hempstead County was cut off to form the County of Miller, which was named for James Miller, the first territorial governor of Arkansas. The act provided that the temporary seat of justice should be "at the house of John Hall in the Gilliland settlement." John Clark was appointed clerk; J. F. Colville, sheriff, and J. Erving, coroner. By the act of November 3, 1831, Charles Burkham, William Collum, George C. Wetmore, Samuel Worthington and Travis G. Wright were appointed commissioners to locate a permanent county seat. This act also defined the boundaries of the county as follows: "Beginning at the south bank of the Red River, at a point due south of the mouth of the Cositot; thence due south to the thirty-third

degree of north latitude; thence west with the thirty-third degree of north latitude to a point due south of the mouth of the Fauxouichita; thence to the Red River; thence down and with said river to the place of beginning."

These boundaries included a considerable territory lying within the Republic of Mexico and subsequently caused much trouble. The boundary line between the United States and Texas had not been definitely established, and for several years the settlers in Miller County were uncertain as to which government they were subject. In fact, many of them were inclined to acknowledge allegiance to the Texas government. In his message of February 15, 1838, to the General Assembly, Governor James S. Conway called attention to conditions in Miller County; that many of the citizens were disposed to submit to the jurisdiction of Texas, and he submitted for consideration a number of letters transmitted to him by Sheriff Frazier, of Miller County, to corroborate this statement. "The easiest and most effectual remedy," said he, "that presents itself to my mind, is the abolition of Miller County and the attachment of her territory to some other possessed of more patriotism. I therefore recommend that the General Assembly abrogate the County of Miller and attach her territory and jurisdiction to the County of Sevier."

On February 20, 1838, Absalom Fowler introduced a bill making it a misdemeanor for any citizen of the county to hold office under the Republic of Texas. It passed both houses and was approved by Governor Conway on the 3d of March, but it failed to produce the desired results. The county officers either refused or neglected to enforce the laws of Arkansas. In his message of November 7, 1838, at the opening of the next session of the General Assembly, Governor Conway again referred to the subject,especially the failure of the Fowler law to improve conditions. A few days later he received a letter from William B. Conway, judge of the sixth judicial circuit, in which the writer explained the reasons for his failure to hold a term of court in Miller County in October, because the county officers had not made any provisions. "Texas," said Judge Conway, "has usurped full jurisdiction over Miller County and divided it into two counties—Red River and Fannin—and has provided fully for the civil and military organization of these two counties."

This led to the disorganization of the county and the attachment of the territory to the County of Lafayette. Miller County was reëstablished by the act of December 22, 1874, with its present boundaries, to wit: On the north by Little River County; on the east by the Red River, which separates it from the counties of Hempstead and Lafayette; on the south by the State of Louisiana, and on the west by the State of Texas. Its area is 623 square miles of rolling uplands and fertile valleys, and it is divided into the following townships: Beech, Cleveland, Cut Off, Days Creek, Garland, Homan, Lost Prairie, Red River and Sulphur.

The county seat of the reorganized county was established at Texarkana, and the first officers were: E. Bancroft, judge; W. J. Watson, clerk; J. A. Roberts, sheriff; T. J. Edwards, treasurer; W. W. Magee, assessor; J. T. Hogane, surveyor; W. F. Sears, coroner. The first term of the Circuit Court at Texarkana began on June 28, 1875, with James K. Young as the presiding judge and Daniel W. Jones, prosecuting attorney.

Texarkana (see Chapter L) is a city of the second class. Fouke, on the Texas

& Pacific Railroad in the central part of the county, is an incorporated banking town, with a bank, a telephone exchange, lumber and cooperage plants, general stores, and a population of 319. Garland, on the St. Louis Southwestern Railroad near the eastern boundary, was incorporated on December 28, 1903. Two large sawmills are located here. The population in 1920 was 370. Doddridge and Ravana are important villages, and there are several small hamlets in the county. Miller's population in 1920 was 24,021, a gain of 4,446 since 1910.

MISSISSIPPI COUNTY

This county is situated immediately south of "the jog" in the northern boundary line of the state. It is therefore bounded on the north by the State of Missouri; on the east by the Mississippi River, from which it takes its name; on the south by Crittenden County, and on the west by the counties of Craighead and Poinsett. It has an area of 792 square miles, alluvial soil, and is one of the banner agricultural counties of the state. Cotton, corn, wheat, alfalfa and sweet potatoes are the principal crops.

The county was created by the act of November 1, 1833, from the northern part of Crittenden County. It was also directed by the act that the seat of justice should be at the house of Peter G. Reeves, until such time as a permanent county seat should be established. In 1836 John G. Davis, John Buckner, Edwin Jones, Lasty McLang and Frederick Weller were appointed commissioners to locate a county seat, and the result was the selection of Osceola. Subsequently Blytheville, in the northeast corner, was made a seat of justice for the northern district, and fine courthouses have been erected in both places. The one in Blytheville was completed about July 1, 1921, at a cost of $150,000.

The first county officers were: Edwin Jones, judge; J. W. Whitworth, clerk; E. F. Loyd, sheriff; G. C. Barfield, surveyor; S. McLung, coroner. Uriah Russell, elected in 1836, was the first treasurer. Among the early attorneys who practiced in this county were Thomas B. Craighead, for whom Craighead County was named; Thomas J. Blackmore, John B. Finley and Elliott H. Fletcher.

Mississippi County is divided into the following townships: Big Lake, Bowen, Burdette, Canadian, Carson Lake, Chickasawba, Clear Lake, Fletcher, Golden Lake, Hector, Hickman, Little River, McGavock, Monroe, Neal, Pecan, Scott, Swayne, Troy and Whitton. The population of the county in 1920 was 47,320, an increase of 16,852 in ten years.

The county is well supplied with railroads, the St. Louis & San Francisco, the Jonesboro, Lake City & Eastern, the St. Louis Southwestern, the Blytheville, Burdette & Mississippi River and the Blytheville, Leachville & Arkansas touching practically all parts. Three towns—Blytheville, Luxora and Osceola—each have a population of over one thousand and are described in the chapters on Incorporated Towns. Manila, incorporated on July 3, 1901, is a town of 971 inhabitants. It is located on the Jonesboro, Lake City & Eastern Railroad in the northwestern part, has a bank, sawmill, cooperage plant, the usual line of mercantile establishments, etc. Burdette and Dell are also incorporated towns. Armorel, Bardstown, Barfield, Butler, Hickman, Pecan Point, Wilson and Yarbro are flourishing villages.

MONROE COUNTY

On November 2, 1829, Gov. John Pope approved an act erecting the County of Monroe out of territory taken from Arkansas and Phillips counties, and named for James Monroe, the fifth President of the United States. It is situated in the east central part of the state, has an area of 603 square miles and is bounded as follows: On the north by Woodruff County; on the east by St. Francis, Lee and Phillips counties; on the south by Arkansas County, from which it is separated by the White River, and on the west by Prairie County.

By the act creating the county, the temporary seat of justice was fixed at the house of Thomas Maddox. Later in the session an act was passed authorizing an election to be held in January, 1830, for commissioners to locate a permanent county seat. The commissioners selected a site on the farm of Joseph Jacobs and conferred upon the place the name of Lawrenceville. The county seat remained there until the spring of 1856, when by vote of the people it was removed to Clarendon, on the White River, in the western part of the county, where it has since remained. The first county officers were: William Ingram, judge; J. C. Montgomery, clerk; James Eagan, sheriff; Lafayette Jones, surveyor; John Maddox, coroner. No treasurer was elected until 1836, when the honor went to Joseph Jacobs. Among the early attorneys was the firm of Hughes & Smith, composed of Simon P. Hughes and W. W. Smith. Mr. Hughes was afterward elected governor and still later justice of the Supreme Court.

Monroe is divided into sixteen townships, to wit: Brinkley, Cache, Cleburne, Cypress Ridge, Dixon, Duncan, Greenfield, Hindman, Jackson, Keevil, Montgomery, Pine Ridge, Raymond, Richland, Roe Roe and Smalley. Two lines of the Chicago, Rock Island & Pacific, the St. Louis Southwestern, two branches of the Missouri Pacific and the Missouri & North Arkansas railroads all pass through the county in various directions, affording excellent transportation. In 1910 the population of the county was 19,907 and in 1920 it was 21,601.

Clarendon and the City of Brinkley are described in other chapters. Holly Grove, on the Missouri Pacific ten miles southeast of Clarendon, was incorporated on July 25, 1876, and in 1920 reported a population of 977. It has an electric light plant, a weekly newspaper, two banks, several sawmills, a handle factory, a factory for turning out chair material, several mercantile concerns, etc. Blackton, Monroe, Palmer and Roe are important villages.

MONTGOMERY COUNTY

Situated southwest of the center of the state is Montgomery County, which was created by the act of December 9, 1842, from part of Hot Spring County. It is supposed to have been named for Richard Montgomery, one of the American generals in the Revolutionary war, who was killed at Quebec on December 31, 1775. Its area is 784 square miles and its average elevation is 700 feet. On the north it is bounded by Scott and Yell counties; on the east by Garland and Hot Spring; on the south by Clark and Pike, and on the west by Polk County. Farming and lumbering are the leading industries.

When the county was established the county seat was located where it is at

present, though the place was at first known as Montgomery. In July, 1850, the county court ordered the name changed to Salem, but at the October term the same year it was changed to Mount Ida. On October 26, 1921, the court appropriated $40,000 for a new courthouse. Mount Ida was incorporated on December 14, 1854, and in 1920 reported a population of 298. It is a banking town, has a weekly newspaper, a flourmill, sawmills and woodworking concerns, general stores, a public school, etc. Womble is the nearest railroad station. Womble is an incorporated banking town about ten miles south of Mount Ida. It is the terminus of a branch of the Missouri Pacific railway system that connects with the main line at Gurdon, has a weekly newspaper, large lumbering interests, general stores, etc., and a population of 420. Black Springs, Caddo Gap, Oden and Washita are the principal villages. The population of the county in 1920 was 11,112.

Montgomery is divided into the following townships: Big Fork, Caddo, Caney, Center, Fir, Gap, Gaston, Hazel, Leverney, Mazarn, Missouri, Ouachita, Parks, Polk, Rock Springs, Scott, Smith, South Fork, Sulphur Springs, Walnut and Womble.

NEVADA COUNTY

Nevada County was created by the act of March 20, 1871, out of territory taken from the counties of Columbia, Hempstead and Ouachita, and was named for the State of Nevada. It is situated in the southwestern part of the state; is bounded on the north by Clark and Pike counties; on the east by Ouachita County; on the south by Columbia and Lafayette counties; on the west by Hempstead and Lafayette counties, and has an area of 620 square miles. The surface is slightly rolling, with some level prairie, and is drained by the Little Missouri River, which forms the boundary between Nevada and Clark counties.

When the county was created a place called Mount Moriah was designated as the temporary seat of justice. The first session of the county court was held here on May 8, 1871. At that time the county officers were: D. C. Tuttle, judge; A. B. Parsons, clerk; J. S. Vandergriff, sheriff; T. W. Hammon, treasurer; W. H. Prescott, surveyor; John Meeks, assessor; Samuel Weaver, coroner. At the second session of the court in October, 1871, the commissioners appointed to select a site for a permanent county seat made their report. They reported in favor of Section 21, Township 13 south, Range 21 west, and the court conferred upon the place the name of Rosston. A special election was held on May 19, 1877, to determine whether the county seat should remain at Rosston or be removed to Prescott. The vote was 1,107 votes for removal to 392 against it, and on July 2, 1877, the court issued the order for removal.

Nevada is divided into thirteen civil townships, viz.: Alabama, Albany, Boughton, Caney, Emmet, Georgia, Jackson, Leak, Missouri, Parker, Redland, Taylor and Union. In 1920 the population of the county was 21,934, an increase of 2,590 in ten years.

Among the early settlers in what is now Nevada County was Polly Vaughan, who came from Mississippi and settled on the Little Missouri at the place afterward known as Janes' Ferry, where she kept a hotel for many years. Nick Trammel also had a house of entertainment on the Terre Rouge Creek. Other

pioneers were Jonathan West and John L. Eads, who settled on Prairie d'Anne, near where the battle of Poison Springs was fought in April, 1864; the Vaughans and a man named Bassett, who settled on the Little Missouri; James Cravens, Joseph White, the Crawfords and a few others, who settled near Nick Trammel, and the Magness family on the Big Caney. After the completion of the Iron Mountain Railroad the settlement was more rapid.

Prescott (see Chapter LI) is the largest and most important town. Emmet, on the Missouri Pacific Railroad near the western boundary, was incorporated on May 5, 1883, and in 1920 reported a population of 420. Bluff City, Bodcaw, Boughton and Rosston are the principal villages. Lumbering is the chief industry in all those places and they are local trading points.

NEWTON COUNTY

Newton is one of the northwestern counties. It is bounded on the north by Boone and Carroll counties; on the east by Searcy; on the south by Pope and Johnson, and on the west by Johnson and Madison. Its area is 846 square miles. A large part of the county is mountainous, the average elevation being 800 feet. There is much good grazing and farming land. Stock raising and fruit growing are important industries.

The county was created by the act of December 14, 1842, out of territory taken from Carroll County. It was named for Thomas W. Newton, who was elected to Congress in 1847, when Archibald Yell resigned, and who was a prominent figure in Arkansas politics. John Bellah's house was designated as the temporary seat of justice, but it was soon afterward located at Jasper, on the Little Buffalo River, where it has since remained. The first county officers were: Samuel Bristow, judge; J. M. Ross, clerk; Allen Bellah, sheriff; William Ramsey, treasurer; T. G. Blackard, coroner. Thomas Jones was elected surveyor in 1844 and was the first to hold that office in the county.

Newton is divided into the following townships: Big Creek, Boston, Grant, Grove, Hasty, Hudson, Jackson, Jefferson, Jones, Kentucky, Lincoln, Low Gap, Marble City, Mill Creek, Murray, New Hope, Osage, Pleasant Hill, Plumlee, Polk, Prairie, Richland, Union, Van Buren, Walnut and White. Near Jasper, in Jackson Township, is the famous Diamond Cave, which rivals in beauty the historic Mammoth Cave of Kentucky. The crystals in this cavern, glittering in the light of the visitors' lanterns, have given it the name of "Diamond Cave." Since the completion of the highway from Russellville to Eureka Springs, many automobile parties have come to visit this cave.

Newton is the only county in Arkansas without a railroad. Notwithstanding the lack of transportation, the population increased from 10,612 in 1910 to 11,199 in 1920. Jasper, the county seat, is the only incorporated town. It was incorporated on April 8, 1896, has a bank, a flour mill, general stores, a weekly newspaper, a telephone exchange, considerable lumber and cooperage interests, and a population of 253 in 1920. Boxley, Deer, Mount Judea and Willcockson are neighborhood trading centers.

CHAPTER XLV

COUNTIES—OUACHITA TO SCOTT

OUACHITA COUNTY—PERRY COUNTY—PHILLIPS COUNTY—PIKE COUNTY—POINSETT COUNTY—POLK COUNTY—POPE COUNTY—THE MILITIA WAR—PRAIRIE COUNTY—AN OLD PIGEON ROOST—PULASKI COUNTY—RANDOLPH COUNTY—SAINT FRANCIS COUNTY—SALINE COUNTY—SCOTT COUNTY—LOCATION AND BOUNDARIES OF EACH—EARLY SETTLERS—LOCATING COUNTY SEATS—RAILROADS—POPULATION—INDUSTRIES—TOWNS AND VILLAGES, ETC.

OUACHITA COUNTY

The County of Ouachita is situated in the second tier from the southern border of the state and is bounded as follows: On the north by Clark and Dallas counties; on the east by Calhoun County; on the south by Columbia and Union counties, and on the west by the counties of Columbia and Nevada. It has an area of 733 square miles of gently rolling upland and fertile valley land and is one of the best agricultural counties in Southern Arkansas. It was created by the act of November 29, 1842, from the northwestern part of Union County and was named for the river which flows through it.

It was ordered by the organic act that the temporary county seat should be at the house of William L. Bradley and the first session of the county court was held there early in 1843. At that time the county officers were: William Hickman, judge; Philip Agee, clerk; H. Dewes, sheriff; William L. Bradley, treasurer; C. G. M. Priam, surveyor; J. W. Smith, coroner. Messrs. Foster, Hickman and Woodard were appointed commissioners to locate a permanent seat of justice—a matter of no great difficulty as Fabre's Landing was the almost universal choice of the people. John Nunn offered to donate a square for a courthouse, which offer was accepted, and at the suggestion of Mr. Woodard the name of the place was changed to Camden. The old frame residence used as the first courthouse was burned in 1857 and a two-story brick was erected in the center of the public square. It also was destroyed by fire on December 19, 1875. Rented quarters were then occupied by the county officials until the completion of the present courthouse in 1890. All the county records prior to 1875 were destroyed in the fire of that year.

Probably the first white man to settle in what is now Ouachita County was a Frenchman named Fabre, who settled on the Ouachita River about the beginning of the Nineteenth Century. His place was known as "Ecore a Fabre," that is "Fabre's Bluff" (now Camden). After the Quapaw treaty of 1818 others came into this section. Among them were Jesse B. Bowman, Anderson and Richard Tate, Richard McAllister and a few others. When the Quapaw ceded their reservation in 1824 a number of emigrants from other states settled

on the Ouachita. John and Washington Nunn came about this time, and soon afterward the Campbells, Pattersons, Pughs, Sloans, Smiths and some other families, all of whom located in the vicinity of Camden.

Ouachita is divided into eighteen townships, to wit: Behestian, Bradley, Bragg, Bridge Creek, Carroll, Cleveland, Ecore Fabre, Free, Jefferson, Lafayette, Liberty, Marion, Red Hill, River, Smackover, Union, Valley and Washington.

The bar of Ouachita County has always occupied a high place in the legal annals of the state. Among the attorneys of this county, C. C. Scott was elected a justice of the Supreme Court in 1848, Edward A. Warren twice represented the district in Congress; John T. Bearden and J. T. Elliott both served as circuit judge and the latter was elected to Congress in 1867, to serve the unexpired term of James Hinds deceased; John R. Fellows removed to New York City and was elected district attorney, and Henry G. Bunn was chief justice of the Arkansas Supreme Court for eleven years.

Transportation is furnished to all parts of the county by the Missouri Pacific, the St. Louis Southwestern and the Chicago, Rock Island & Pacific railways. Camden (see Chapter L) is a city of the second class. Bearden, on the St. Louis Southwestern near the eastern boundary, was incorporated on January 23, 1892. It has a bank, an electric light plant, a weekly newspaper, a telephone exchange, large lumber interests, general stores, public schools, and a population of 687. Chidester, on the Missouri Pacific fifteen miles northwest of Camden, is an incorporated banking town, has a flour mill, several sawmills, a telephone exchange, a population of 280 and is a trading point for the northwestern part of the county. Stephens, on the St. Louis Southwestern in the southwest corner, was incorporated on February 25, 1889. It has two banks, a population of 769, a weekly newspaper, a flour mill, several sawmills and woodworking concerns, and is distinguished as the place where oil was discovered in Arkansas. Buena Vista, Eagle Mills, Millville, Sayre and Troy are busy villages. The population of the county in 1920 was 20,636.

PERRY COUNTY

By the act of December 18, 1840, the southern part of Conway County was cut off and erected into a county named Perry, in honor of Commodore Oliver H. Perry, the hero of the naval battle on Lake Erie in the War of 1812. It is therefore bounded on the north by Conway County; on the east by Faulkner and Pulaski counties; on the south by Saline and Garland counties, and on the west by Yell County. It has an area of 552 square miles, mountainous in some places, with high plateaus, wide valleys and rich bottoms along the streams. The hill lands are well adapted to fruit growing. It is drained by the Arkansas River, Fourche la Fave Creek and a number of smaller streams. The name Fourche la Fave is a corruption of Le Fevre, derived from Peter Le Fevre, a French Canadian, who settled on the Arkansas River about six miles below Little Rock in the fall of 1818.

In the act creating the county it was provided that the temporary seat of justice should be at the house of John L. Huston. Early in 1841 Mr. Huston and John Greathouse agreed to donate lands for county purposes in the Town of Perryville, which they had founded the year before, on condition that the

town be made the permanent county seat. The offer was accepted and a log courthouse was built. It was destroyed by fire in 1848 and another log house was erected. A large frame building, about half a mile north of the old courthouse in what was called the new town, was completed in 1872 and the county offices were removed to the new structure. Two years later it was burned and a new frame building was erected on the site. It also was destroyed by fire in December, 1881, after which a brick courthouse was built. The first county officers were: William Houston, judge; I. Russell, clerk; Robert McCall, sheriff; John L. Huston, treasurer; N. King, coroner; T. McBeth, surveyor.

Aaron Price came into the county as early as 1808 with some stockmen. They settled on the Fourche la Fave some eight or nine miles below where Perryville now stands. Robert B. Blackwell came into the county in 1818. Other pioneers were Eli and Elias Evans, David Vann, the Taylor brothers, John L. Huston, Jodiah Rankin, the Lackey, Williams and Smith families, all of whom were living in the county when it was organized. John L. Huston ran the first ferry across the Fourche opposite Perryville in 1847. At that time Little Rock, Lewisburg (now Morrillton) and Brown's Landing, on the Arkansas River, were the nearest trading points. The first goods were brought into the county on pirogues, then keelboats, and finally a small steamer called "Inspector" ascended the Fourche. Now that the Chicago, Rock Island & Pacific Railroad runs through the county, uncertain water transportation has been abandoned.

Perry is divided into the following townships: Aplin, Casa, Cherry Hill, Dry Fork, Forest, Fourche la Fave, Houston, Howell, Kenney Lake, Ledwidge, McCool, Maumelle, Mountain, New Tennessee, Omega, Perry, Petit Jean, Rankin, Rose, Rose Creek, Rowland, South View, Sweet Home, Tyler, Union and Walnut Grove.

Perryville the county seat, is a little northeast of the center of the county and about three miles south of the Rock Island Railroad. It was incorporated on December 5, 1878, has a weekly newspaper, lumber mills, general stores, etc., and a population of 665. Perry, directly north of the county seat on the Rock Island Railroad, is an incorporated banking town with a population of 540. It is connected with the surrounding towns by telephone and is an important trading and shipping point. Adona and Casa, also on the Rock Island, are incorporated towns, the former having a population of 241 and the latter, 300. Casa is a banking town for the northwestern part of the county. Bigelow, with a population of 589, and Houston, with a population of 403, are on the railroad east of Perry. Both are banking towns. Bigelow has a weekly newspaper, a canning factory, a sawmill and lath factory, etc., and Houston is the seat of several large sawmills. The southern part of the county is in the Arkansas National Forest and is sparsely settled. The population in 1920 was 9,905.

PHILLIPS COUNTY

Situated on the eastern border of the state, about half way between the Missouri and Louisiana state lines, is Phillips County, the second county established by an Arkansas Territorial Legislature. The act creating it was approved by Gov. James Miller on May 1, 1820, the territory comprising it having former-

ly been included in Arkansas County. It is bounded on the north by Lee County; on the east by the Mississippi River, which separates it from the State of Mississippi; on the south by Desha County, and on the west by the counties of Arkansas and Monroe. It has an area of 692 square miles, all rich, alluvial land except Crowley's Ridge, which extends northward from Helena. The farms are protected from overflow by a complete system of levees and produce large crops of cotton, corn, alfalfa, potatoes, etc.

Sylvanus Phillips, for whom the county was named, built his log cabin near the mouth of the St. Francis River in 1797. Two years later the commandant at Arkansas Post, fearing an Indian uprising, asked Phillips to remove to the post. He did so and there married a daughter of William Patterson. After the Indian scare was over he returned to the mouth of the St. Francis and was probably accompanied by Daniel Mooney, who had married a sister of Mrs. Phillips. He was a member of the first Territorial Legislature elected by the people. He died at Helena on October 31, 1831, aged sixty-five years.

Daniel Mooney, mentioned in the preceding paragraph, settled between the St. Francis and Mississippi rivers in 1797. In 1810 he was appointed sheriff under the old Louisiana law. When he arrested a man he had to take him to Washington (Missouri) for trial. He was appointed sheriff of Phillips County when it was organized and in 1821 was appointed one of the common pleas judges. The other two were Benjamin Foy and W. B. R. Horner. All held office until the court was abolished.

W. B. R. Horner was born in Falmouth, Virginia, in 1785, and came to Arkansas in 1811. In November, 1819, he was elected one of the representatives from Arkansas County to the Territorial Legislature, the other being W. O. Allen. He presided at the first Fourth of July celebration in 1821, which was in the nature of a barbecue. Reports say the celebration was near a spring "where there was a plentiful supply of mint." This would indicate that the mint julep took part in the ceremonies. Mr. Horner was one of the most influential citizens of Phillips until his death at Helena on May 11, 1838.

As early as 1766 Francois d'Armand, a French trader, established a post on the point of land just above the mouth of the White River, where he erected several buildings. After accumulating a considerable sum of money he sold out to William Montgomery, who made the place one of the most noted landings on the Mississippi River. D'Armand's residence, standing some two hundred and fifty yards from the river on high brick pillars, to be above high water, Montgomery converted into a hotel. Gov. John Pope and his nephew and private secretary, William F. Pope, landed at Montgomery's Point when they came to Arkansas.

Other Phillips County pioneers were: George W. Ferebee, Thomas B. Handy, James H. McKenzie, Davis Thompson, Hampton Montgomery, Darby Pentecost, Griswold Latimer, W. W. Palmer, Robert Maloney, Judge Thomas J. Lacey and W. P. Craig.

The act creating the county designated the Town of Monticello as the temporary seat of justice. Where was Monticello? Greenfield Quarles, an old resident of the county, spent some time and effort in trying to locate it, finally reaching the conclusion that it occupied the site of the present City of Helena. In the files of the Arkansas Gazette the early county seat is referred to as

St. Francis until the issue of June 23, 1821, when that name is dropped and Helena substituted. It is therefore probable that Monticello, St. Francis and Helena were but different names for the same place. On November 21, 1829, Governor Pope approved an act appointing James H. McKenzie, Hampton Montgomery and Joseph Robins commissioners to superintend the building of a courthouse on the public square in the Town of Helena, receive subscriptions and donations in land, building materials and money, and levy a tax not exceeding 25 per cent of the taxes then levied."

Phillips is divided into sixteen townships, to wit: Big Creek, Cleburne, Cleveland, Cypress, Hickory Ridge, Hicksville, Horner, James R. Bush, Lake, L'Anguille, Marion, Mooney, St. Francis, Searcy, Spring Creek and Tappan. It is claimed that the largest road building project in any county in the United States is the Helena-Ferguson paved highway, extending from Helena to Ferguson, near the southern boundary, with branches to Elaine and Modoc. The system includes sixty-one miles of improved highway, constructed at a cost of $2,000,000, of which $60,000 was Federal aid.

Helena and West Helena are described in the chapters on Cities and Incorporated Towns. Next to these two places, Marvell, on the Missouri Pacific Railroad twenty miles west of Helena, is the largest town in the county. It was incorporated on April 6, 1897, has a bank, a weekly newspaper, a telephone exchange, an ice and cold storage plant, electric light, modern public schools, large lumber and woodworking interests, mercantile concerns, and a population of 781. Elaine, an incorporated banking town on the Missouri Pacific in the southern part of the county, has sawmills, a cooperage plant, several stores, and a population of 377. Barton, Ferguson, Poplar Grove, Southland, Trenton and Turner are the principal villages. The population of the county in 1920 was 44,530, an increase of 10,995 during the preceding decade.

PIKE COUNTY

This county is situated in the southwestern part of the state. It is bounded on the north by Montgomery County; on the east by Clark; on the south by Hempstead and Nevada, and on the west by Howard County. The area of the county is 601 square miles, drained by the Caddo and Little Missouri rivers and the Antoine Creek, which forms the greater part of the eastern boundary. In the north the surface is mountainous, but the soil in the valleys is fertile and well adapted to agriculture. The average elevation is 506 feet. The largest peach orchard and the only diamond mine in the United States are located in this county.

The county was created by the act of November 1, 1833, out of territory taken from the counties of Clark and Hempstead. It was named for Lieut. Zebulon M. Pike, who led an exploring expedition into the Southwest in the early part of the Ninteenth Century and discovered Pike's Peak, which bears his name. He afterward rose to the rank of brigadier-general. The first county officers were: W. Sorrels, judge; D. S. Dickson, clerk; John Hughes, treasurer; J. W. Dickson, coroner. In the organic act it was provided that the temporary seat of justice should be at the house of Paschal C. Sorrels until such time as commissioners should be elected to locate a permanent county seat. Henry

Brewer and Elijah Kelly were elected and they selected the site of the present Town of Murfreesboro. A log courthouse and a small frame building for a clerk's office were at once erected. In the spring of 1834 a post office called "Zebulon" was established there with Asa Thompson as postmaster. The place went by this name until about 1836, when it was changed to Murfreesboro.

Pike is divided into the following townships: Antoine, Brewer, Caney Fork, Clark, Eagle, Missouri, Mountain, Muddy Fork, Pike City, Saline, Self Creek, Thompson, White and Wolf Creek. The population of the county in 1920 was 12,397.

Among the pioneers who settled in this county prior to 1830 were: Henry and Oliver Brewer, Jeremiah and Joseph Davis, David Dickson, John Blocker, James and John Hughes, David Huddleston, Elijah and William Kelly, George Hensley, Asa Thompson, Isaac and John White and William Stone. Asa Thompson represented the county in the lower house of the first State Legislature.

There are no large towns in the county. Murfreesboro, the county seat, was incorporated on April 9, 1890, and in 1920 had 730 inhabitants. It has a bank, two weekly newspapers, a flour mill, electric light, waterworks, sawmills, general stores, etc. Glenwood, at the junction of the Memphis, Dallas & Gulf and the Missouri Pacific railroads in the northeast corner, is the largest town. It is an important shipping point, has a bank, electric light, a weekly newspaper, a telephone exchange, large lumber interests, mercantile concerns and a population of 891. Delight, on the Pike City branch of the Missouri Pacific, is an incorporated banking town with a population of 391. It has electric light, a grist mill, several sawmills, a telephone exchange, general stores, etc. Rosboro, on the Missouri Pacific four miles southeast of Glenwood, has a population of 412. Its principal industry is lumbering. Pike City, about ten miles northeast of Murfreesboro, is the terminus of a short branch of the Missouri Pacific system. It has a population of 229 and is a trading center for a considerable district. Kimberly, so named from the diamond mines, is a short distance south of Murfreesboro, and there are several small villages scattered over the county.

POINSETT COUNTY

On February 28, 1838, Gov. James S. Conway approved an act cutting off parts of Greene and St. Francis counties and erecting the territory into the County of Poinsett, so named in honor of Joel R. Poinsett, of South Carolina, then secretary of war, who is said to have given his name to the poinsettia flower and introduced its cultivation into the United States. It is located in the northeastern section of the state; is bounded on the north by Craighead County; on the east by Mississippi County; on the south by Crittenden and Cross counties, and on the west by Jackson County. Its area is 721 square miles. Running north and south through the center is Crowley's Ridge, east and west of this highland are level fertile valleys and prairies, where farming is carried on successfully.

When created the temporary seat of justice was at the house of William Harris. Commissioners appointed for the purpose located the permanent county seat at a place called Bolivar, where it remained until 1856, when it was removed to Harrisburg. A brick courthouse was built there in 1859. The first

county officers were: William Harris, judge; Thomas Jones, clerk; W. G. Arledge, sheriff; Richard Hall, treasurer; J. C. Shavers, coroner.

Poinsett is divided into ten civil townships, to wit: Bolivar, Dobson, Greenfield, Greenwood, Little River, Owen, Scott, Tyronza, West Prairie and Willis. Three lines of railway traverse the county in a north and south direction—the St. Louis & San Francisco in the eastern part, the Missouri Pacific through the center, and the St. Louis Southwestern in the western part. Another branch of the St. Louis & San Francisco system touches the northwest corner and there is a short railroad called the Cairo, Truman & Southern running south from Truman.

Harrisburg, Marked Tree and Truman, the three principal towns, are described in subsequent chapters. Fisher, an incorporated town of 350 inhabitants, is located on the St. Louis Southwestern in the southwest corner of the county. Lumbering is the only industry of importance. Lepanto, at the terminus of a short branch of the St. Louis & San Francisco near the eastern boundary, is an incorporated banking town with a population of 986. It has electric light, a telephone exchange, a number of well stocked stores, sawmills, a handle factory and some minor industries. Weiner, with a population of 412, is an incorporated town on the St. Louis Southwestern. It has large lumber interests, a foundry and machine shop, and is a trading and shipping point for a rich farming district. Greenfield, Tyronza and Waldenberg are important villages. The population of the county in 1920 was 20,848, an increase of 8,057 in ten years.

POLK COUNTY

On November 5, 1844, James K. Polk, of Tennessee, was elected President of the United States, and on the 30th of the same month Gov. Thomas S. Drew approved an act of the Arkansas Legislature cutting off a large part of Sevier County and erecting it into a county named after the President-elect. It is one of the western tier of counties; bounded on the north by Scott County; on the east by Montgomery; on the south by Howard and Sevier, and on the west by the State of Oklahoma. It has an area of 846 square miles and an average elevation of 1,300 feet, drained by the Cossitot and Ouachita rivers, both of which rise in the county.

The act creating the county fixed the temporary county seat at the house of John Pirtle, where there was a post office called Panther. The permanent county seat was located near the southwest corner of Township 2 south, Range 30 west, and was named Dallas, for the Vice President of the United States. Subsequently it was removed to a site a short distance north and the name was changed to Mena. The first county officers were: J. T. Hayden, judge; J. Scott, clerk; B. Pope, sheriff; John Pirtle, treasurer; D. Hamilton, surveyor; H. Dixon, coroner.

Polk is divided into seventeen townships, viz.: Big Fork, Cedar, Center, Cove, Eagle, Eagle Gap, Faulkner, Freedom, Fulton, Gap Springs, Mill Creek, Mountain, Ouachita, Ozark, Potter, Rich Mountain and White. A large part of the county is in the Arkansas National Forest.

The only railroad in the county is the Kansas City Southern, which enters the county near the northwest corner, runs in a southeasterly direction to Mena, thence south into Sevier County. Mena (see Chapter LI) is the largest town.

Hatfield, on the railroad south of Mena was incorporated on March 14, 1901, and in 1920 had a population of 335. It has a bank, a telephone exchange, lumber mills, a nursery, general stores, etc. Board Camp, Cove, Egger, Grannis, Vandervoort and Wickes are the principal villages. There is a bank at Grannis. The population of the county in 1920 was 16,412.

POPE COUNTY

Pope County was erected from part of Crawford by the act of November 2, 1829, and was named for John Pope, then governor of Arkansas Territory. It is one of the northwestern counties; bounded by Newton and Searcy counties on the north; by Van Buren and Conway on the east; by the Arkansas River on the south, which separates it from the counties of Conway and Yell, and by Johnson County on the west. It has an area of 828 square miles and an average elevation of 617 feet. Part of the county is in the Ozark National Forest. Agriculture, horticulture and coal mining are the leading occupations.

By the organic act the temporary county seat was located at the house of John Bollinger. Commissioners located the permanent county seat at Scotia in 1830. In May of that year a post office was established at Scotia, with Twitty Pace as postmaster. When Johnson County was formed in 1833 part of Pope was added to the new county. The seat of justice was then removed to Dwight Mission, established by Rev. Cephas Washburn in 1820. The next year it was taken to Norristown on the Arkansas River nearly opposite Dardanelle Rock. The Town of Norristown is no longer in existence. In 1841 the county seat was established at Dover, about eight miles north of the present City of Russellville, by James Burton, Webster Jamison and Benjamin Langford, commissioners chosen for the purpose. At an election held on March 19, 1887, the seat of justice was located at Russellville, where it has since remained.

The first county officers were as follows: Andrew Scott, judge; Twitty Pace, clerk; H. Stinnett, sheriff; W. Mitchell, surveyor; W. Garrott, coroner. No treasurer was elected until 1836, when J. R. H. Scott was chosen. The county is now divided into the following townships: Allen, Bayliss, Burnett, Center, Clark, Convenience, Dover, Freeman, Galla Creek, Griffin, Gum Log, Hogan, Holly Bend, Illinois, Independence, Jackson, Lee, Liberty, Martin, Moreland, North Fork, Sand Spring, Smyrna, Sulphur, Valley and Wilson.

During the reconstruction period (1866 to 1874) there was a great deal of trouble in Pope County, culminating in what is known as the "Militia War." The reader will recall that in the latter years of the Civil war a number of Arkansans served in the Northern army. Between those men and their Confederate neighbors feeling ran high for several years after the close of the war. Capt. Dodson Napier, who had commanded a company of Federal soldiers, was appointed the first sheriff after the war. He and a deputy named Parks were shot and killed by unknown parties a short distance east of Dover. Morris Williams was then appointed sheriff and was killed while plowing in his field, after which E. W. Dodson was appointed. William Stout, the first clerk after the war, was also killed and Wallace H. Hickox was appointed as his successor. Hickox had come to Arkansas as a Federal cavalry officer and remained after the war to aid in the "reconstruction of the rebels." In the spring of 1867 two

companies of United States regulars, commanded by Major Mulligan, came to Dover and for the next eighteen months order reigned in the county. They were uniformly courteous and made friends among all classes. Shortly after Powell Clayton became governor in 1868, the regulars were withdrawn and the trouble broke out afresh.

By taking advantage of the so-called registration act, old residents were disfranchised upon the most trivial pretexts. In this work Wallace H. Hickox was particularly active. Matters went from bad to worse until July 10, 1872, when a posse led by Sheriff Dodson and Hickox rode into Dover to arrest Matt Hale, who was suspected of being implicated in the killing of Morris Williams. Not finding him, the posse arrested his brother, William Hale, his father, "Uncle" Jack Hale, Joseph Tucker and Liberty West. The posse started for Dardanelle with their prisoners, but when near Shiloh Church, about three miles north of Russellville, darkness came on and the prisoners were fired on by the posse. William Hale and Joseph Tucker were killed. West's mule threw him when the shots were fired and in the darkness he was overlooked. Uncle Jack Hale put spurs to his horse and escaped. He arrived at Dover about midnight and reported what had happened.

Companies were organized at Dover, Scottsville, Russellville, in fact all over the county, and the militia war was on in earnest. On August 31, 1872, Hickox was killed by W. H. Poynter at Dover. Others of the posse that had killed William Hale and Joseph Tucker met a similar fate. Acting Governor Hadley sent Adjutant-General Upham to take charge of the state forces, numbering about seven hundred men, and for a time it looked as though every "rebel" in Pope County was to be exterminated. Then Sheriff Dodson was suspended by the governor and Absalom S. Fowler, of Little Rock was appointed in his place. Ex-Confederate soldiers furnished his bond and after a few more outrages peace was restored. Then came the Brooks-Baxter war, which brought home rule to Arkansas, and in time all wounds were healed. The above facts relating to the Pope County war are taken from an article by Thomas J. Reynolds, published in Volume II of the Arkansas Historical Association Publications, and an address delivered to the students at the Russellville Agricultural School by Judge J. T. Bullock in May, 1921, to which the reader is referred for a more detailed account of the unfortunate affair.

In 1920 the population of Pope County was 27,153, an increase of 2,626 in ten years. Russellville and Atkins, the principal municipalities, are described in later chapters. Dover, the former county seat, was incorporated on December 31, 1852. It has a bank, several sawmills, general stores, etc., and a population of 388. London, on the Missouri Pacific Railroad near the northwest corner of the county, is an incorporated banking town, with a population of 386. Pottsville (Railroad name Galla) is six miles east of Russellville. It was incorporated on May 7, 1897, has a bank, general stores, etc., and a population of 275. Appleton, Hector, Laurel, Moreland and Scottsville are the most important villages.

PRAIRIE COUNTY

Part of Pulaski County was cut off by the act of November 25, 1846, to form the County of Prairie, which takes its name from the character of the

country. It is located a little east of the center of the state and is bounded as follows: on the north by White and Woodruff counties; on the east by Woodruff and Monroe; on the south by Arkansas, and on the west by Lonoke. It has an area of 662 square miles, about one-third of which is prairie and the balance was originally heavily timbered. Rice, cotton and corn are the principal crops. The White River flows through the eastern part and along this stream pearl fishing is a probable industry.

When the county was created the house of J. S. Hunt was designated as the temporary county seat. A permanent county seat was established at Brownsville, but when Lonoke County was erected in 1873, the new county took in Brownsville and the seat of justice of Prairie County was located at Devall's Bluff. Two years later it was removed to Des Arc, but Devall's Bluff was subsequently made a seat of justice for the southern part of the county. The first county officers were: W. S. Scroggs, judge; E. M. Williams, clerk; A. Barksdale, sheriff; J. Percival, treasurer; P. Horton, surveyor; H. Avery, coroner.

On September 16, 1854, while the county seat was still at Brownsville, the courthouse and nearly all the county records were destroyed by fire. The county is divided into the following townships: Belcher, Bullard, Calhoun, Center, Des Arc, Hazen, Hickory Plain, Lower Hill, Roe Roe, Tyler, Union, Upper Hill, Wattensas and White River. In 1920 the population of the county was 17,447, an increase of 3,594 over the census of 1910.

Old residents can no doubt recall the pigeon-roost near the center of the county, where wild pigeons were wont to pass the night in the season of their migrations. Sportsmen killed them by thousands and the farmers in the vicinity gathered the dead birds and fed them to their hogs. Frequently the pigeons would alight in the tree-tops in such great numbers that large limbs were broken off by their weight. The passenger pigeon has disappeared, but a few ragged-looking, dead trees still remain as mute witnesses to the day when they were so numerous that they were killed for the mere pleasure of killing.

Two divisions of the Chicago, Rock Island & Pacific, and a branch of the St. Louis Southwestern railroad systems traverse the county and afford transportation. Des Arc is the only town in the county having a population of more than one thousand. Devall's Bluff, the southern county seat, is located on the White River, at the crossing of the Rock Island Railroad. It is an incorporated banking town, with a population of 885, a weekly newspaper, a pearl button factory, a telephone exchange, electric light and waterworks, a handle factory, sawmills, mercantile concerns, a modern public school building, etc. Hazen, at the junction of the St. Louis Southwestern and the Rock Island railroads, was incorporated on July 8, 1884. It has two banks, a flour mill, a weekly newspaper, an electric light plant, an ice factory, large dairy and lumber interests, general stores, and a population of 783. Biscoe, Brasfield, Hickory Plains, Fairmont and Ulm are the principal villages.

PULASKI COUNTY

This is one of the five counties organized while Arkansas was part of Missouri Territory. It was named for Count Pulaski and was taken from Arkansas County by the act of December 15, 1818, with the following boundaries: "Beginning at

the mouth of the Little Red River, and running from thence in a direct line to the Arkansas River, where the Plumb Bayou intersects the said river, then up said river to the northwest corner of the Quapaw claim, then with said claim to Michael Boon's road, then with said road to the south fork of the Saline Creek, then up said creek to its head, then due west to the Indian boundary line, then with said line or lines to the northeast corner of the Cherokee claim at a place called Bodwell's camp, then with said Cherokee claim to the Little Red River, then down said river to the beginning."

These boundaries included a large part of Central and Western Arkansas. The growth of population demanded the formation of new counties, which has reduced Pulaski to a mere remnant of the original county. It now has an area of 779 square miles and is divided into the following townships: Ashley, Badgett, Bayou Meto, Big Rock, Brodie, Campbell, Eagle, Eastman, Ellis, Fourche, Gray, Hill, Maumelle, Mineral, Owen, Perkins, Pyeatte, Roland, Union, Worthen and Young. Being the seat of the state capital, it is the most populous county in the state. In 1910 the population was 86,751 and in 1920 it had grown to 109,319.

Edmund Hogan is credited by some writers with having been the first permanent settler in the county, but this is hardly probable. Hogan was a soldier in the War of 1812 and did not come to Arkansas until in 1817. As early as 1806 seven families, led by one John Gozel, came from North Carolina and settled on the south side of the Arkansas River, not far from the present northern boundary of the county. The following year John and Jacob Pyeatt, brothers, settled at Crystal Hill, about twelve miles above Little Rock, on the north side of the Arkansas, where they founded a settlement which became known as Pyeattstown. In 1815 Jacob Pyeatt went up the river to the mouth of the Cadron Creek and founded a new settlement. As an illustration of the isolated position occupied by these Arkansas pioneers, it is related that when Major Gibson, of the United States army, passed up the Arkansas in 1815 he brought them the first news of the War of 1812. Jacob Pyeatt's wife died at Cadron in 1822. In December of that year Peter Pyeatt, one of the younger generation, married Miss Mary Miller, daughter of James Miller of Batesville. John Pyeatt died in 1826.

Other early settlers at Pyeattstown were Gov. James Miller, who tried to have the capital of Arkansas located there, William Lockwood, Jonathan Pharr, Rev. John Carnahan, Edmund Hogan and a Frenchman named Brangiere, who thought the crystals in the rock contained silver and spent much of his time in prospecting.

In 1818 Jacob, Joseph and Shared Gray came from Tennessee and settled in Pulaski County. Peter Lefevre (or Le Fevre) located about six miles below the site of Little Rock in the fall of 1818, about two miles below Wright Daniels, who had settled on the river about 1814. Robert Jones settled near Daniels in 1818. Lefevre had several sons and some of his descendants were still living in the county at the beginning of the present century. Many of the early settlers in the county located in or near Little Rock (See Chapter XLVII.)

Upon the organization of the county, Edmund Hogan, Samuel Gates, James C. Newell, Ephraim C. Davidson and Curtis Wilbourn were appointed justices of the peace. On March 10, 1821, Hogan was appointed brigadier-general of

militia by President Monroe, to succeed William O. Allen. In 1825 he was defeated for a seat in the upper house of the Legislature by Col. Alexander S. Walker, but in 1827 he was elected, defeating Walker and Judge Andrew Scott. He was killed by Judge Scott on May 31, 1828, over a dispute growing out of the campaign of the preceding year.

Samuel McHenry's house was designated as the place for holding the county court until a permanent seat of justice should be located. The first session of the court met there on May 24, 1819. In 1820 the county seat was located at Cadron. By the act of October 21, 1821, James Billingsley, Robert Bean and Samuel C. Roane were appointed commissioners to select a site for a permanent seat of justice and they decided in favor of Little Rock. The first county officers, appointed in 1819, were: Robert C. Oden, clerk; L. R. Curran, sheriff; Jacob Pyeatt, coroner.

According to the United States census for 1920, the only incorporated places in the county, except Little Rock and North Little Rock, are the towns of Alexander and Levy. The former is located in the southwestern part, on the Missouri Pacific Railroad. It was incorporated on February 9, 1888, and has a population of 111. Levy is on the Fort Smith division of the Missouri Pacific and is only two and a half miles from North Little Rock. Its business enterprises are those usually found in towns of its size, and in 1920 it reported a population of 673. Ferndale, Galloway, Jacksonville, Pulaski Heights (a suburb of Little Rock), Scott, Sweet Home, Woodson and Wrightsville are the most important villages.

RANDOLPH COUNTY

Randolph is one of four counties created by the last Territorial Legislature. Gov. William S. Fulton giving his approval to the act on October 29, 1835. The territory comprising the county was formerly a part of Lawrence. It is one of the northern tier; bounded on the north by the State of Missouri; on the east by Clay and Greene counties; on the south by Lawrence, and on the west by Sharp County. The Spring River forms part of the boundary line between Randolph and Lawrence, and the Black River flows through the eastern part. It is located in the foothills of the Ozark Mountains, somewhat hilly in the northern part, but the greater portion consists of smooth valleys, with rich bottom lands along the streams. A great deal of fruit is raised in the county and stock raising is an important industry.

The area of the county is 654 square miles and it is divided into the following townships: Baker, Bristow, Butler, Columbia, Current River, Davidson, Demun, Eleven Points, Elm Store, Foster, Ingram, Jackson, Janes Creek, Little Black, O'Kean, Reyno, Richardson, Roanoke, Shiloah, Siloam, Spring River, Union, Warm Springs, Water Valley and Wiley.

In the act creating the county it was stated that the name was adopted "in honor of the late John Randolph, of Roanoke," one of Virginia's noted statesmen in the early part of the Nineteenth Century. James G. Russell's house was designated as the temporary seat of justice and it was ordered that commissioners be elected to locate a permanent county seat. They selected a site on the Black River, at a place called Bettis' Bluff, and the Town of Poca-

hontas was laid off there in February, 1836. The first county officers were: P. R. Pittman, judge; B. J. Wiley, clerk; William Black, sheriff; R. Bradford, coroner; J. M. Cooper, surveyor.

As early as 1790 French traders paddled their canoes up the Black River and traded with the Indians where Pocahontas now stands. One of the earliest permanent settlers was John Janes, a native of Virginia, who located a claim on Janes' Creek in 1809. Mathias Mock was an early settler on Mud Creek and the Fosters settled on the Fourche Dumas about the same time. In 1815 David Black came from South Carolina and settled on Eleven Point River, where he established "Black's Ferry." Henry L. Fletcher, of Tennessee, settled near the Fosters in the fall of 1815. His son, Thomas Fletcher, was at one time United States marshal for the Eastern District of Arkansas. R. S. Bettis was the first settler on the site of Pocahontas and the place was widely known as Bettis' Bluff, as above stated.

The first courthouse was a two-story brick structure, forty feet square, and was built by Thomas O. Marr for $2,400. It collapsed about 1870 and the present courthouse was erected during the reconstruction days. Judge Archibald Yell held the first court in the county, at the house of James G. Russell. The first term at Pocahontas was held in April, 1837, Judge Lewis B. Tully presiding. A log jail was built about 1840 and served the county for thirty years.

A line of the St. Louis & San Francisco railway system passes through the eastern part of the county, and another line of the same system runs along the Spring River, just across the boundary line, affording fair transportation for a large part of the county. Pocahontas (see Chapter LII) is the chief town. Biggers, incorporated in April, 1903, is located on the railroad near the eastern boundary, has considerable lumber interests, general stores, etc., and a population of 447. Maynard, in the northeastern part, was incorporated on October 17, 1895, and in 1920 reported a population of 210. It has a flour mill and is a trading point for the farmers in the vicinity. O'Kean, in the township of the same name, is an incorporated town with a population of 205. It is a sawmill town, with general stores, etc. Ravenden Springs, near the western boundary, is also incorporated and has a population of 191. Reyno, situated on the railroad near the Clay County line, has a population of 392. It has a flour mill, several mercantile concerns and is a shipping point of some importance. Biggers, Maynard, Ravenden Springs and Reyno are banking towns. Middlebrook, Kingsville, Elm Store and Warm Springs are the most important villages. The population of the county in 1920 was 17,713.

SAINT FRANCIS COUNTY

This is one of the east central counties; bounded on the north by Cross and Crittenden counties; on the east by Crittenden; on the south by Lee County, and on the west by the counties of Woodruff and Monroe. It has an area of 628 square miles. Crowley's Ridge extends north and south through the central part, dividing the St. Francis and L'Anguille rivers. Much of the land is alluvial. reclaimed by drainage, and the soil is of unusual fertility.

The county was created by the act of October 13, 1827, out of territory taken from Phillips County, and was named for the river which flows through it.

William Strong's house was designated as the temporary seat of justice by the act of October 22, 1827, which also provided that an election should be held for commissioners to locate a permanent county seat. Edward Oliver, Samuel Fillighan, John Carothers, Charles Shaver and Archibald McDaniel were chosen as such commissioners. They selected a site on the St. Francis River, about ten miles below Strong's, and laid off the Town of Franklin. The first public sale of lots was on May 4, 1829. Some years later the county seat was removed to Madison, where it remained until by an election held on June 30, 1874, the voters decided to remove it to Forrest City.

Andrew Roane was appointed clerk when the county was organized, and William Strong was appointed sheriff. They served until the election of 1830, when the following were elected: John Johnson, judge; S. Crouch, clerk; William Strong, sheriff; William Lewis, surveyor; G. B. Lincecum, coroner. The county is divided into the following townships, to wit: Black Fish, Franks, Garland, Goodwin, Griggs, Johnson, L'Anguille, Madison, Prairie, Telico and Wheatley.

The Missouri Pacific Railroad runs north and south through the center of the county, and the Chicago, Rock Island & Pacific runs east and west. These two lines, which cross each other at Forrest City, furnish transportation facilities to practically all sections of the county.

Forrest City (see Chapter LI) is the most important town. Colt, on the Missouri Pacific near the northern boundary, is an incorporated town with a population of 265 and is a trading and shipping point of some importance. Hughes, on the Helena division of the Missouri Pacific, is an incorporated banking town with a population of 451. It has general stores, sawmills, a public school, and is the rallying point for the southeast corner of the county. Madison, on the Rock Island four miles east of Forrest City, has important lumber and woodworking industries, and a population of 670. Palestine, on the same line of railway seven miles west of Forrest City, was incorporated on April 23, 1889. It is a trading and shipping point with a population of 297. Wheatley and Widener, both on the Rock Island, are incorporated towns. The former has a population of 477 and the latter, 449. Both have large lumber interests and Wheatley has a bank and a rice mill. There are also several thriving villages scattered over the county. The population of St. Francis in 1920 was 28,385, a gain of 5,837 over the census of 1910.

SALINE COUNTY

Parts of Hempstead and Pulaski counties were cut off by the act of November 2, 1835, to form a new county, which was named Saline on account of the salt works that had been established within its limits at an early date. The first of these salt works was opened about 1827 by Allen M. Oakley. Shortly after Oakley began making salt, William E. Woodruff obtained a license to operate a salt works in the same neighborhood, on condition that he would sell his salt for not more than $1.50 per bushel. These early salt works supplied practically all the salt used in Arkansas and large quantities were shipped to Tennessee, Louisiana and the eastern part of Texas.

As early as 1819 a settlement consisting of eight or ten families was formed

on the Saline River, at the point where that stream was crossed by the road between Little Rock and Hot Springs, not far from the present Town of Benton. William Lockhart (sometimes written Lockert) came from North Carolina and settled at this place in 1815. He was probably the first white man to "stake a claim" in what is now Saline County, at least no record can be found of an earlier inhabitant. Others who settled in Saline County prior to 1821 were Abner Herald, Isham and John Pelton, James Buckan and their families, who located in the Lockhart settlement; Josiah Stover, James Prudden, William Caldwell, William Duncan, Harlan and Joseph Clift, who located west of the Saline River. In 1825 about a dozen families came from Lawrence County and formed what became known as the Lindsey settlement. They were Kentuckians and the place where they located is now in Kentucky Township. Among them were John Y. and Caleb Lindsey, Henry L. Fletcher, Abijah Davis, George Janes and William Williams.

About 1827 Ezra M. Owen and a few of his neighbors laid off a town, which was given the name of Collegeville. Owen planned a school which he hoped to make the state university, hence the name. Collegeville failed to measure up to the expectations of its founders and it no longer appears on the map. Other early settlers in different parts of the county were: Robert and Valentine Brazil, Rezin Davis, David Dodd, Green B. Hughes, Rev. Andrew Hunter, Samuel Williams and Charles Caldwell. The last named built a water mill five miles northwest of Benton in 1830, which was the second mill in the county. The first one had been built by Samuel Williams in 1825, but it was washed away by a flood. A post office was established at the "crossing of the Saline" early in 1831. It was named "Saline" and William Lockhart was appointed postmaster.

The first session of the county court was held "at the Baptist meeting house near Duncan's." Rezin Davis, David Dodd and Green B. Hughes were appointed commissioners to locate a permanent seat of justice. They decided in favor of Benton, which had been started about two years before the county was erected, and the first courthouse there was completed in 1838. It was a brick structure, sixty feet square and two stories high, and was built by Jacob Hoover for $3,574.

Saline has an area of 748 square miles. In the northern part the surface is somewhat rough, but the valleys of the Saline River and Hurricane Creek, and most of the upland in the central and southern parts, are well adapted to agriculture. The county is centrally located, being bounded on the north by Perry and Pulaski counties; on the east by Pulaski; on the south by Grant and Hot Spring; on the west by Hot Spring, Garland and Perry counties. It is divided into the following townships: Banner, Bauxite, Beaver, Bryant, Dyer, Fairplay, Haskell, Holland, Hurricane, Jefferson, Kentucky, Liberty, Marble, Newcomb, Otter, Owen, Salem, Saline, Shaw, Smith, Traskwood, Union and Walnut Bottom. The first county officers were: T. S. Hutchinson, judge; Samuel Caldwell, clerk; Valentine Brazil, sheriff; A. Carrick, surveyor; Caleb Lindsey, coroner.

Benton (see Chapter LI) is the most important town. It is the junction point of several railroads which furnish transportation to the central and southern portions of the county. Bryant, on the Missouri Pacific six miles northeast of Benton, was incorporated on October 29, 1892, and has a population of

132. It is a sawmill town, with a general store and some minor business concerns. Traskwood, on the same railroad near the southern boundary, was incorporated on November 8, 1900. It has a canning factory, general stores, etc., and a population of 256. Bauxite, on the Rock Island four miles east of Benton, has a bank and is the center of the Bauxite mining industry. Haskell, Owensville and Slocomb are the most important villages. The population of the county in 1920 was 16,781.

SCOTT COUNTY

This is one of the western border counties. It is bounded on the north by Logan and Sebastian counties; on the east by Yell County; on the south by Montgomery and Polk counties, and on the west by the State of Oklahoma. It has an area of 970 square miles, much of which is mountainous, the average elevation being 910 feet. The valleys are fertile and the hill lands are well adapted to fruit growing. The county was created by the act of November 5, 1833, out of territory taken from the counties of Crawford and Pope. An election for commissioners to locate the permanent county seat was held soon after the county was created. Robert Cauthron, Joseph Tomlinson and William W. Fleming were elected and in April, 1834, located it at Cauthron, now a small station on the Kansas City Southern Railroad in the western part of the county. Some years later it was removed to Waldron, where it has since remained. The first county officers were: Elijah Baker, judge; S. B. Walker, clerk; James Riley, sheriff; J. R. Choate, coroner.

Andrew Scott, for whom the county was named, was born in Virginia on August 6, 1788. When about twenty years old he came west with his brother, John Scott, and located at Ste. Genevieve, Missouri. He studied law, married Miss Eliza Jones, of Potosi, Missouri, and there began the practice of his profession. Upon the organization of Arkansas Territory he was appointed one of the judges of the Superior Court and was the first of the territorial officials to arrive at Arkansas Post. When the capital was removed to Little Rock, Judge Scott went along. In the spring of 1829 he removed to what is now Pope County and laid off the town of Scotia. He was the delegate from Pope and Johnson counties to the constitutional convention of 1836. He died at the home of Elijah Truitt, at Norristown, on March 13, 1851.

Judge Scott was a small man physically, weighing not more than 135 pounds, but he was not lacking in courage. While still at Arkansas Post he and Judge Selden were engaged in a game of whist with two ladies. Judge Selden disputed some statement made by Scott's partner and Scott demanded an apology. This led to a duel, which was fought on the Mississippi side of the river opposite Montgomery's point, and Judge Selden was killed at the first fire. In the spring of 1828 he got into an altercation with Edmund Hogan, by whom he had been defeated for the Legislature in 1827. Hogan was a powerful man, weighing over 200 pounds, and knocked Scott down. Scott sprang to his feet, drew a sword from a cane which he always carried and stabbed Hogan four times before bystanders could interfere. He gave himself up to the authorities, was tried and acquitted, the evidence showing that Hogan was the aggressor. A son, John R. Homer Scott, represented Pope County in the constitutional convention of 1874.

Scott is divided into the following townships: Black Fork, Blansett, Brawley, Brushy, Cauthron, Cedar, Coal, Denton, Hickman, Hon, Hunt, James, Johnson, Jones, La Fave, Lafayette, Lamb, Lewis, Little Texas, Mill Creek, Mountain, Mount Pleasant, Oliver, Park, Tate and Tomlinson. The population of the county in 1920 was 13,232.

Waldron, the county seat and principal town, is situated near the center of the county and was incorporated on December 17, 1852. It has a bank, a weekly newspaper, a canning factory, an ice and cold storage plant, electric light, a number of well stocked stores and a population of 918. Being the terminus of a branch of the Kansas City Southern Railroad, it is an important shipping point. Mansfield, part of which is in Sebastian County, was incorporated on August 29, 1888. It has a bank, a flour mill, a brick factory, an ice and cold storage plant, a weekly newspaper, large lumber interests, natural gas, mercantile concerns and a population of 923 on the Scott county side of the line. Abbott, Barton, Coaldale, Olio and Weeks are the principal villages.

CHAPTER XLVI

COUNTIES—SEARCY TO YELL

SEARCY COUNTY—SEBASTIAN COUNTY—SEVIER COUNTY—AFFAIR AT CENTER POINT—SHARP COUNTY—STONE COUNTY—UNION COUNTY—LARGEST IN THE STATE—VAN BUREN COUNTY—WASHINGTON COUNTY—THE LOVELY PURCHASE—WHITE COUNTY—WOODRUFF COUNTY—YELL COUNTY—LOCATION AND BOUNDARIES OF EACH—AREA—TOPOGRAPHY—LOCATION OF COUNTY SEATS—FIRST OFFICERS—EARLY SETTLERS—RAILROADS—TOWNS AND VILLAGES—POPULATION, ETC.

SEARCY COUNTY

On December 13, 1838, Gov. James S. Conway approved an act cutting off the southern part of Marion County and erecting it into a new county, which was named in honor of Richard Searcy, the first clerk of Lawrence County and later one of the territorial judges. It is located northwest of the center of the state and is bounded as follows: On the north by Boone and Marion counties; on the east by Stone County; on the south by Van Buren and Pope counties, and on the west by Newton County. It has an area of 673 square miles—rugged mountains, high plateaus, broad valleys and sloping hillsides. More than half of the county is under cultivation. Stock raising is an important industry, and the county is a favorite resort of the hunter and fisherman.

When the county was created, it was directed that the temporary seat of justice should be at the house of James Eagan, one of the pioneers. Commissioners were appointed to locate a permanent county seat and decided in favor of Lebanon, a little hamlet on a small tributary of the Buffalo River, about five miles west of the present Town of Marshall. In 1856 it was removed to Marshall, where it has since remained. The first county officers were: William Wood, judge; William Kavanaugh, clerk; E. M. Hale, sheriff. The county is divided into the following townships: Bear Creek, Beaver, Big Creek, Calf Creek, Campbell, Long Creek, Maumee, Mount Pleasant, Mount Vernon, Prairie, Red River, Richland, Rock Spring, Shady Grove, St. Joe, Spring, Sulphur Springs, Tomahawk and Wiley's Cove. In 1920 the population was 14,539.

The only railroad is the Missouri & North Arkansas, which runs from southeast to northwest through the county. This road ceased operations on August 1, 1921, leaving Searcy without railway transportation. Leslie (see Chapter LII) is the largest town. Marshall, the county seat, dates its existence from 1856, when Littleton Baker, J. W. Gray and Jack Marshall were appointed commissioners to select a site for a new county seat. The town was laid off by them and was at first called Burrowville, after N. B. Burrow, but the name was subsequently changed to Marshall. It was incorporated under the new name on January 13, 1884, and in 1920 reported a population of 749. It has a bank, two weekly newspapers, an electric light and power company, flour mills, a tele-

phone exchange, sawmills, a brick factory, a broom factory, a stave factory, general stores, etc., and is the seat of Galloway College. Near Marshall is a cavern known as the "Blowing Cave." In a long corridor of the cave a wind is always blowing, which comes from an apparently bottomless pit. Fruit growers make use of this cave for storing apples, on account of low, regular temperature, which preserves the fruit in perfect condition until such time as it is wanted for shipment.

St. Joe, situated on the railroad northwest of Marshall, was incorporated on July 7, 1904. It has a bank, several sawmills, limekilns, general stores, etc., and in 1920 reported a population of 181. Landis, Pindall and Snowball are the principal villages.

SEBASTIAN COUNTY

Situated on the western border of the state, in the Ozark Mountain country, is the County of Sebastian, which is bounded as follows: On the north by the Arkansas River, which separates it from Crawford County; on the east by Franklin, Logan and Scott counties; on the south by Scott County, and on the west by the State of Oklahoma. It has an area of 531 square miles. The high, smooth prairies and level valleys, protected by the surrounding Ozark Mountains, are the scenes of great agricultural activity. A great deal of "garden truck" is raised in this county and shipped to Fort Smith, Kansas City and St. Louis. Considerable coal mining is done in the county.

The county was created by the act of January 6, 1851, and was named for William K. Sebastian, who was judge of the first circuit for several years following the admission of Arkansas into the Union, president of the state senate in the session of 1846, and United States senator from 1847 to 1865. The territory comprising the county was taken from the counties of Crawford, Scott and Polk. Eaton Tatum's house was designated as the temporary seat of justice, where the Village of Jenny Lind is now situated. The first election for county officers was held on January 27, 1851. James Clark was elected judge; John Carnall, clerk; Samuel B. Stevens, sheriff; S. Norton, treasurer; F. E. Williams, surveyor; William McAllister, coroner. At the same time John D. Arbuckle, Reuben Coker, Samuel Edmondson, John Jones and William Stafford were elected commissioners to locate a permanent county seat. They decided in favor of a site in section 12, township 6 north, range 31 west, where Reuben Coker offered to donate forty acres of land for that purpose. They also gave the name of Greenwood to the new seat of justice.

The location of the county seat was not satisfactory to many of the citizens and the following year (1852) the question was submitted to a vote of the people and Fort Smith received a majority. In 1854 it was voted to take the county seat back to Greenwood. A compromise was reached in 1861, by which Greenwood and Fort Smith were each to have two terms of the circuit court annually, and since then Sebastian has had two county seats. The county is divided into the following townships: Bass Little, Bates, Beverly, Big Creek, Bill Johnson, Bloomer, Center, Cole, Dayton, Diamond, Eagle, Hartford, Island, Jim Fork, Marion, Mississippi, Mont Sandels, Nat Osborn, Prairie, Rogers, Sugarloaf, Sulphur, Upper, Washburn and White Oak.

Soon after the close of the War of 1812 Capt. John Rogers settled on the site of Fort Smith. There may have been a few settlers before that time, but they left no history. Among the pioneers who came soon after Captain Rogers were: Jere Kannady, H. A. Quesenbury, Matthew Moore, James McDavid, Charles A. and George S. Birnie, Matthew Moss, Robert Sinclair, Alfred Ray, William Duval, whose son Benjamin T. Duval, afterward became a prominent figure in Arkansas affairs, James Griggs and some others, who settled in different parts of the county.

According to the United States census of 1920, Sebastian was the third county in the state in population, having 56,739 inhabitants and being exceeded only by Pulaski and Jefferson. Fort Smith (see Chapter XLVIII) is the second city of the state, and there are a number of incorporated towns in the county. Greenwood, Hackett, Hartford and Huntington are described in subsequent chapters. Bonanza, near the western boundary, has a bank, large coal mining interests, general stores, etc., and a population of 516. Midland, on the Midland Valley Railroad, was incorporated on May 14, 1904. It has a bank, several mercantile concerns, seven coal mining companies, and a population of 787. Mansfield, partly in Scott County, has been described in the sketch of that county. Barling, Bloomer, Dayton, Jenny Lind, Lavaca, Washburn and Witcherville are the most important villages.

SEVIER COUNTY

By an act approved by Governor Izard on October 17, 1828, parts of Miller and Hempstead were cut off and erected into a new county, which was named in honor of Ambrose H. Sevier, speaker of the House of Representatives in the Legislature and afterward one of the first United States senators from Arkansas. It is situated in the southwestern part of the state; bounded on the north by Polk and Howard counties; on the east by Howard County; on the south by Little River County, from which it is separated by the Little River, and on the west by the State of Oklahoma. Its area is 572 square miles, hilly in the northern part, rolling in the center and more level in the southern portion.

In the organic act the temporary seat of justice was fixed at the house of Joseph English, but by a supplementary act, approved on October 22, 1828, George T. Boring, David Clark, Levi Davis, James Halman and Joseph Ladd were named as commissioners to locate a permanent county seat. The following spring they located it at Paraclifta, on the Cossatot River, about five miles from the southern boundary, where it remained until 1871, when it was removed to Lockesburg, some eight or ten miles farther north. After the completion of the Kansas City Southern Railroad through the county, the seat of justice was removed to De Queen. The first county officers were: John Clark, judge; H. Hartfield, clerk; G. Clark, sheriff; Asa Hartfield, surveyor; J. T. Little, coroner. William Trimble was the first judge of the Circuit Court.

The settlement of Sevier County commenced about 1810. The fertility of the Cossatot and Little River valleys attracted a sturdy class of pioneers, among whom were Joseph McKean, George Boring, James M. Coulter, the Halbrooks, the Kings, the Ladds, the Wrights, the Sloans and several other families, all of whom settled here prior to or about the time the county was created.

Sevier County did not escape the evils of reconstruction and carpet-bag rule. On November 10, 1868, a company of armed men numbering some two hundred, commanded by a Captain Reeves, appeared at Center Point (Now in Howard County) and informed the citizens that Governor Clayton had declared martial law in the county. Stores were looted by the so-called militia and three men, named Anderson, Gilbert and Hester were captured and held as hostages. The next morning while the citizens were holding a meeting to petition Governor Clayton for the return of property taken, Reeves and his gang again appeared and broke up the meeting. About twenty citizens were arrested and taken to Murfreesboro, but were afterward released. Reeves' company was part of an expedition into Southwest Arkansas, led by Gen. R. F. Catterson, "in search of arms and ammunition." The property taken from the citizens of Sevier County was never returned.

There are three railroads in the county. The Kansas City Southern runs north and south a little west of the center, the Memphis, Dallas & Gulf touches the southeast corner, and the De Queen & Eastern runs between De Queen and Dierks, Howard County. De Queen and Horatio, the principal city and town, are described in later chapters. Gillham, a station on the Kansas City Southern near the northwest corner of the county, was incorporated in July, 1902. It is a banking town with a population of 317, and is a trading and shipping point for the farmers in that section. Lockesburg, the former county seat, is situated on the Cossatot River near the center of the county. It was incorporated on September 27, 1878, has a bank, a weekly newspaper, a flour mill, a brick factory, general stores, warehouses, etc., and a population of 794. Paraloma, on the Memphis, Dallas & Gulf Railroad, is a town of 499 inhabitants, with a handle factory, a flour mill, general stores, a stave factory and some minor industries. Ben Lomond, Brownstown, Neal Springs and Provo are the most important villages. The population of the county in 1920 was 18,301, an increase of 1,685 in ten years.

The twelve townships of Sevier County are as follows: Bear Creek, Ben Lomond, Buckhorn, Clear Creek, Jefferson, Mill Creek, Mineral, Monroe, Paraclifta, Red Colony, Saline and Washington.

SHARP COUNTY

Sharp County was created by the act of July 18, 1868, from part of Lawrence County. In that Legislature the district composed of Lawrence, Greene and Randolph counties were represented by three men, one of whom was Ephraim Sharp, for whom the county was named. The act creating the county designated Evening Shade as the seat of justice, but after the building of the St. Louis & San Francisco Railroad through the northern part of the county a second county seat was established at Hardy. The first county officers were: Solomon Yeager, judge; W. T. Cunningham, clerk; James K. Jones, sheriff; D. C. Wolfe, treasurer; J. G. Wolfe, coroner; T. Cunningham, assessor.

The county is situated in the northern part of the state, about three miles of the northern boundary being formed by the State of Missouri. The rest of the northern boundary is formed by the counties of Fulton and Randolph; the eastern boundary by Randolph and Lawrence; the southern boundary by Inde-

pendence, and the western boundary by the counties of Fulton and Izard. The area of the county is 609 square miles and the average elevation of 430 feet presents the typical topography of the Ozark foothills. The surface is drained by the Spring and Strawberry rivers, in the valleys of which farming is carried on successfully. The population in 1920 was 11,132.

Sharp is divided into the following townships: Big Creek, Big Rock, Cave, Davidson, Hardy, Highland, Jackson, Johnson, Lave Creek, Lebanon, Morgan, North, Piney Fork, Richwoods, Scott, Strawberry, Sullivan, Union and Washington. There are no large towns in the county. Cave City, near the southern boundary, is an incorporated banking town with a population of 243. It has a canning factory, a fruit evaporator, a flour mill, and though some distance from a railroad is an important trading point for a large agricultural district. Evening Shade, the southern county seat, is situated on the Strawberry River, about four miles from the Izard County line. It was incorporated on March 21, 1870, has a bank, a weekly newspaper, a flour mill, two sawmills, a telephone exchange, a broom factory, general stores, etc., and a population of 290. Hardy, the northern county seat, is on the railroad near the Fulton County line. It was incorporated on July 12, 1894, has a bank, a weekly newspaper, and is an important trading and shipping point. Its population is 399. Williford, on the railroad eight miles southeast of Hardy, is an incorporated banking town, with the usual business enterprises found in a town of 357 inhabitants. Ash Flat, Calamine, Poughkeepsie, Sidney and Wirth are the principal villages.

STONE COUNTY

This is a triangular shaped county, situated almost due north of the geographical center of the state. The White River forms the northeast boundary, separating Stone from Baxter, Izard and Independence counties; on the south it is bounded by Cleburne and Van Buren counties, and on the west by the counties of Van Buren, Searcy and Marion. It has an area of 611 square miles and an average elevation of 850 feet. Much of the surface is rough and mountainous, with fertile valleys intervening. Stock raising and fruit growing are important industries. Part of the Ozard National Forest is in Stone County.

Stone was created by the act of April 21, 1873, out of territory taken from the counties of Independence, Izard, Searcy and Van Buren. It derives its name from the geological structure of the region within its borders. Mountain View was designated as the temporary county seat and was afterward made the permanent seat of justice. The first county officers were as follows: W. H. Rosa, clerk; S. H. Winston, sheriff; A. Younger, treasurer; J. Hixon, surveyor; John Hinkle, assessor; B. H. Emerson, coroner. No judge was elected until 1874, when T. D. Martin was chosen. The county is divided into the following townships: Bellmore, Blue Mountain, Bryan, Chalybeate Springs, Cove, Farris, Flag, Franklin, Harris, Hixson, Jones, Liberty, Locust Grove, Northwest, Red River, Richwoods, Rorie, Smart, Sylamore, Timbo, Turkey Creek, Union, Wallace and Washington. The population in 1920 was 8,779, the smallest of any county in the state.

The only railroad in the county is the Missouri & North Arkansas, which

touches the southwest corner, with a station at Arlberg. The Newport & Kansas City division of the Missouri Pacific follows the White River along the northern boundary and affords transportation facilities for a large part of the county. Mountain View is the only town of importance. It is in Blue Mountain Township and was incorporated on August 14, 1890. It has a bank, a weekly newspaper, a telephone exchange, a hub and spoke factory, a stave factory, general stores, public schools, and a population of 342. Alco, Arlberg, Lexington, St. James, Sylamore and Timbo are the principal villages.

UNION COUNTY

Situated on the southern border of the state, almost midway between the Mississippi and Red rivers is Union County, which was created by the act of November 2, 1829, out of territory taken from Clark and Hempstead counties. Although it has been greatly reduced in size by the formation of some of the adjoining counties, it is still the largest county in the state, having an area of 1,048 square miles. On the north it is bounded by Bradley, Calhoun and Ouachita counties; on the east by Ashley County; on the south by the State of Louisiana, and on the west by Columbia County. The Ouachita River forms a large part of the northern and eastern boundaries. The surface of the land is gently rolling and the soil is generally fertile. Union is one of the few counties in which sugar cane and figs can be grown successfully.

When first organized the seat of justice was at the house of John Nunn, where the City of Camden now stands. The first county court met there on April 19, 1830. No public buildings for Union County were ever erected at this place. In 1839 E. S. Franklin, J. H. Pearce and William Young were appointed commissioners to locate a new county seat. They located it at Scarborough's Landing and suggested the name of Champagnolle, which was adopted. On June 10, 1843, a petition signed by numerous citizens was presented to the county court praying for the removal of the county seat. An election for commissioners was ordered for the second Monday in August. Robert Black, John R. Hampton and John Reynolds were elected and they recommended the site of the present City of El Dorado, which has remained the seat of justice.

During the early years of the Nineteenth Century the woods and canebrakes of Union County were a veritable paradise for hunters, but very few of them became permanent settlers. Among the pioneers who established homes in this section of Arkansas were the following: Joseph Neely, William Graham, Andrew Bolden, James Howard, John Cornish, James Langley, Isaac Saliers, Robert Goodwin, E. P. Tatum, Joseph Holloway, the Blacks, Smiths, Craigs, Fraziers and several other families. The first county officers were: J. T. Cabeen, clerk; John Black, Jr., sheriff. These were the only officers in 1829. In 1830 John Black, Sr., was elected judge; Benjamin Gooch, clerk; John Black, Jr., sheriff; Thomas O'Neill, surveyor; Alexander Beard, coroner.

Union is divided into the following townships: Boone, Cornie, El Dorado, Franklin, Garner, Harrison, Henderson, Jackson, Johnson, Lapile, Smackover, Tubal, Van Buren, Wesson and Wilmington. The Missouri Pacific and the Chicago, Rock Island & Pacific railroads cross each other at El Dorado and a short line (the El Dorado & Wesson) runs between El Dorado and Wesson, ten miles southwest.

The City of El Dorado and the Town of Huttig, the only places having a population of one thousand or more, are described in the chapters on Cities and Towns. Cargile, with a population of 245; Felsenthal, with a population of 167; Strong, with a population of 507; Wesson, with a population of 716, are the incorporated towns. Junction City, partly in Louisiana, has a population of 653. All those towns are interested in the lumber industry. Champagnolle, the former county seat, Hillsboro, Lapile, Lawson, Lisbon, Smackover, Three Creeks and Tubal are busy villages. Since the discovery of oil in Union County in January, 1921, most of the towns and villages of the county have experienced a boom. The population in 1920 was 29,691.

VAN BUREN COUNTY

By the act of November 11, 1833, parts of Conway, Independence and Izard counties were cut off and erected into a new county, which was named in honor of Martin Van Buren, then Vice President of the United States. It is situated in the north central part of the state; is bounded on the north by Searcy and Stone counties; on the east by Cleburne County; on the south by Faulkner and Conway counties, and on the west by Conway, Pope and Searcy counties. It has an area of 730 square miles, a considerable portion of which is in the Ozark National Forest. The average elevation is 500 feet. The surface is diversified and is drained by the Little Red River and its tributaries. Along the streams the soil is fertile and good crops of corn, wheat, oats, alfalfa and sorghum are raised. The hill lands are well adapted to fruit culture. There are several mineral springs in the county, the best known of which are the Black Sulphur, White Sulphur and Price's Springs. Some coal has been mined for local use. Lack of transportation has prevented the development of the coal deposits. The only railroad in the county is the Missouri & North Arkansas, which touches the northeast corner, and which suspended operations on August 1, 1921.

When the county was created it was directed that the temporary seat of justice should be at the house of Obadiah Marsh until commissioners chosen for the purpose should locate a permanent seat of justice. They selected a settlement called Bloomington, on the Little Red River about eight miles below the present Town of Clinton. There the county seat remained until 1844, when it was removed to Clinton. The first county officers were: J. L. Lafferty, judge; P. O. Powell, clerk; N. Daugherty, sheriff; L. Williams, surveyor; Philip Nail, coroner. Judge Lafferty was the county's delegate to the constitutional convention of 1836.

Van Buren is divided into twenty-three townships, to wit: Archey Valley, Barnett, Bradley, Cadron, Cargile, Choctaw, Cleveland, Craig, Culpepper, Davis, Griggs, Grove, Hartsugg, Holly, Liberty, Linn Creek, Mountain, Red River, Sulphur Springs, Union, Washington, Wheeler and White Oak. The population of the county in 1920 was 13,666, a gain of 157 over the census of 1910, and 2,446 more than in 1900.

Clinton, the county seat, is pleasantly located on the Little Red River at the mouth of the Archey Fork. It was founded by George Counts in 1842 and was incorporated on August 11, 1879. It has a bank, a weekly newspaper, sawmills and stave factories, general stores, public schools, and a population of 300.

Shirley, on the railroad in the northeastern part, is an incorporated banking town with a population of 349. It has a flour mill, several woodworking concerns, general stores, etc., and before the railroad ceased its activities it was an important shipping point. Bee Branch, Copeland, Dabney, Formosa, Scotland and Settlement are the principal villages.

WASHINGTON COUNTY

Thirty-one of the forty-eight states in the Union each have a county named after Gen. George Washington, the first President of the United States. Washington County, Arkansas, was created by the act of October 27, 1828. It is one of the northwest counties and is bounded as follows: On the north by Benton County; on the east by Madison; on the south by Crawford, and on the west by the State of Oklahoma. It has an area of 955 square miles and, being on the watershed between the Arkansas and White rivers, it has an average elevation of 1,450 feet. It is the second county in the state in the production of apples. Other fruits are also grown in abundance.

The territory comprising the county was taken from the County of Crawford and what was known as the "Lovely Purchase," a brief history of which is as follows: On July 9, 1816, William and Peter Lovely purchased from the Osage Indians the lands lying between the western boundary of the Osage cession of 1808 and the Verdigris River. The purchase was confirmed by the treaty of September 25, 1818, with the Osage. In the meantime, the United States, by the treaty of July 8, 1817, granted to the Cherokee Nation a large tract of land north of the Arkansas River. When the lines of this grant were run it was discovered that the grant included a large part of the Lovely Purchase and all white settlers were ordered to remove therefrom, except Mrs. Peter Lovely.

Naturally such an order created much dissatisfaction, though most of the settlers removed without offering resistance. One of them was Mark Bean, who was operating a salt works, and who afterward became a prominent figure in Arkansas affairs. In 1824 Henry W. Conway, using the Lovely Purchase as a basis for his contention, succeeded in having a bill passed by Congress extending the western boundary of Arkansas forty miles farther to the westward. It was thought that this extension included the right to settle therein, but the order of 1818 was still in existence and white people were warned to keep out until all disputes with the Cherokee were settled.

On October 13, 1827, Governor Izard approved an act creating Lovely County, which included the lands in the "forty mile strip." John Dillard was appointed clerk, upon the recommendation of Judge Benjamin Johnson, and the act went into effect on December 1, 1827. The same session of the Legislature adopted a memorial to Congress asking that the western boundary of Arkansas be definitely settled and surveyed, but it was not done. By the treaty of 1828 with the Cherokee, the present western boundary of the state was established and most of Lovely County was included in the Indian Territory. What was left was included in Washington County by the act of October 27, 1828. By the act of October 31, 1829, the sheriff of Lovely County was directed to pay over to the sheriff of Washington County all funds in the treasury or due, and in case of refusal or failure to do so the sheriff of Washington was authorized

to bring suit against the sheriff of Lovely County and his bondsmen. The first officials of Washington, appointed in 1828, were: Larkin Newton, clerk; Lewis Evans, sheriff; John Skelton, coroner.

A few white people settled within the present county limits before the organization. Among them were John Alexander, a man named Shannon, Mark Bean, the two McGarrahs and the two Simpsons. They were evicted by a company of soldiers from Fort Gibson in August, 1826. After the Cherokee treaty of 1828 the right to settle was undisputed and a number of families came from the Crystal Hill settlement in Pulaski County up the river and located in Washington. Six brothers—Alexander, Andrew, Isaac, James, John and Robert Buchanan—came from Tennessee. Andrew and John were ministers of the Cumberland Presbyterian Church. The Billingsleys, Charles Adams, Samuel Williams, Aaron, Joel and Robert Parks, James Coulter and a number of others came in and in 1830 Washington had a population of 2,182. Early in March, 1829, a post office was established at the county seat and Brazil Newton was appointed postmaster. That was the first post office in the county.

Lewis Evans, Larkin Newton, Samuel Vaughan and John Woody were appointed commissioners to locate a permanent seat of justice and decided in favor of Fayetteville, which has always been the county seat. The first term of the Circuit Court was held there on March 2, 1829, Judge James Woodson Bates presiding. At the July term the same year, Judge Benjamin Johnson presided.

Washington is divided into the following townships: Boston, Brush Creek, Cane Hill, Center, Cove Creek, Crawford, Durham, Dutch Mills, Elm Springs, Goshen, Harmon, Illinois, Lees Creek, Litteral, Mars Hill, Prairie, Prairie Grove, Price, Reed, Rheas Mill, Richland, Springdale, Starr Hill, Valley, Vineyard, Wedington, West Fork, Wheeler, White River, Winslow and Wyman. The population in 1920 was 35,468, a gain of 1,579 during the preceding decade.

The county is well supplied with railroads. Two lines of the St. Louis & San Francisco system crosss each other at Fayetteville and the Kansas City Southern runs near the western border in Oklahoma. There are several good towns and villages in the county. Of these Fayetteville and Springdale are described in subsequent chapters. According to the United States census for 1920, Greenland, Lincoln, Prairie Grove, Tontitown, West Fork and Winslow are the incorporated towns. Greenland is on the "Frisco" Railroad about five miles south of Fayetteville and has a population of 147. Its greatest business enterprise is the large nursery located there. Lincoln is a railroad town near the western boundary. It has a bank, a canning factory, a flour mill, a vinegar factory, general stores, etc., and a population of 534. Prairie Grove is about half way between Fayetteville and Lincoln and has a population of 861. Its principal business concerns are a bank, a canning factory, a telephone exchange, a weekly newspaper, two vinegar factories, a large sawmill, flour mills, an ice cream factory and several mercantile establishments. A battle was fought here on December 27, 1862. Tontitown is near the northern boundary and has a population of 235. A large number of Italians live here and the place is noted for its fine fruits. West Fork is situated on the railroad about ten miles south of Fayetteville. It has a bank, important lumber interests, general stores, etc., and a population of 343. Winslow is on the railroad near the southern boundary.

It has a bank, a weekly newspaper, sawmills, a hub and spoke factory, general stores and a population of 264. Cane Hill, Cincinnati, Dutch Mills, Evansville, Farmington, Goshen, Johnson, Wedington and Brentwood are flourishing villages.

WHITE COUNTY

White County, the second largest in the state, is situated in the north central part and is bounded as follows: On the north by Cleburne and Independence counties; on the east by Jackson and Woodruff; on the south by Prairie and Lonoke, and on the west by Faulkner County. The White River forms the greater part of the eastern boundary and the Little Red River flows in a southeasterly direction through the central part. The area of the county is 1,037 square miles and the surface is gently undulating, with broad fertile valleys along the streams. This is the banner strawberry county of Arkansas, shipments having reached a value as high as $500,000 in a single year.

The county was created by the act of October 23, 1835, out of territory taken from the counties of Independence, Jackson and Pulaski. There is some question as to how it received its name, some contending that it was named for the river and others that it was named for Hugh L. White, of Tennessee, who was then prominently mentioned as a candidate for the presidency, and who received the vote of the whig party in Arkansas in 1836. The "preponderance of evidence," as the lawyers say, seems to be in favor of the latter theory. The first county officers were as follows: Samuel Guthrie, judge; P. W. Roberts, clerk; P. Crease, sheriff; Michael Owens, treasurer; S. Arnold, surveyor; M. H. Blue, coroner.

David Crease's house was designated as the temporary county seat and the business of the county was transacted there for the first two years. By the act of November 23, 1837, John Magness, Michael Owens and Thomas R. Vanmeter were named as commissioners to locate a permanent seat of justice. John Cook, James Walker and John Howerton, who owned lands in section 10, township 7 north, range 7 west, made a liberal offer to the commissioners, which was accepted and the Town of Searcy was laid off. It has been the county seat since early in the year 1838.

White is divided into the following townships: Albion, Antioch, Bald Knob, Big Creek, Cadron, Cane, Chrisp, Clay, Cleveland, Coffey, Coldwell, Crosby, Cypert, Denmark, Des Arc, Dogwood, El Paso, Garner, Gravel Hill, Gray, Gum Springs, Harrison, Hartsell, Higginson, Jackson, Jefferson, Kensett, Kentucky, Liberty, McRae, Marion, Marshall, Negro Hill, Red River, Royal, Russell, Union, Velvet Ridge and Walker. In 1920 the population was 34,603, an increase of 6,029 in ten years. Railroad accommodations are provided by two lines of the Missouri Pacific system, which form a junction at Bald Knob, a branch of the Rock Island system, which runs southward from Searcy to Devall's Bluff, and a short line called the Doniphan, Kensett & Searcy connects the county seat with the Missouri Pacific at Kensett. The Missouri & North Arkansas passes through the central part from northwest to southeast.

Several members of the White County bar became prominent in state affairs. Dandridge McRae located at Searcy in 1849 and in 1854 was admitted to the

bar. Upon the breaking out of the war in 1861, he entered the Confederate service and rose to the rank of brigadier-general. Jesse N. Cypert, senior member of the law firm of Cypert & Holland, was a delegate to the constitutional conventions of 1861, 1868 and 1874, and was elected circuit judge in October, 1874, under the constitution he had helped to frame. His son, Eugene Cypert, is still practicing law in Searcy. John M. Moore, reporter of the Supreme Court for six years and elected president of the Arkansas Bar Association in 1908, was admittted to the bar in Searcy.

Searcy, the county seat (see Chapter LII), is the largest town. Bald Knob, at the junction of the main line and the Memphis division of the Missouri Pacific, was incorporated on August 20, 1881, and in 1920 reported a population of 958. It has a bank, a weekly newspaper, a telephone exchange, electric light, sawmills and woodworking concerns, general stores, modern public schools and is an important shipping point. Beebe, the second town in the county, is on the main line of the Missouri Pacific near the southern boundary. It was incorporated on April 15, 1875, has a bank, large lumber and cooperage establishments, a number of well stocked stores, a weekly newspaper and a population of 995. Bradford, on the main line of the Missouri Pacific in the northeast corner, was incorporated on August 23, 1893, and has a population of 342. It has saw and grist mills, general stores, a bank and is a shipping point for the farmers of that section. Griffithville, on the Rock Island, is an incorporated banking town with a population of 219. A flour mill, several sawmills and some minor industries are located here. Higginson, about five miles south of Searcy, is a railroad station on the main line of the Missouri Pacific. A factory here manufactures veneers, box shooks, fruit crates, chair stock, etc. The population is 239. Judsonia, four miles southwest of Bald Knob, is in the heart of the strawberry belt. It has several nurseries, especially for strawberry plants, a bank, a weekly newspaper, cooperage and box factories, general stores, etc., and a population of 899. Kensett, six miles east of Searcy, is the terminus of a short line of railroad. It is an incorporated banking town with a weekly newspaper, sawmills, an ice factory, electric light, a telephone exchange and a population of 480. Letona, on the Missouri & North Arkansas in the northwest corner, has saw and grist mills, general stores, etc., and a population of 252. McRae, on the main line of the Missouri Pacific, is an incorporated banking town with a population of 467. Its principal industries are sawmills, a handle factory, a box factory, a veneer factory, a weekly newspaper and its general stores. Pangburn, on the Missouri & North Arkansas near the Cleburne County line, has a bank, a flour mill, a weekly newspaper, sawmills, a lath factory, a telephone exchange, and a population of 706. Russell, five miles northeast of Bald Knob, is an important shipping point and has a population of 172. West Point, on the Missouri & North Arkansas is a trading point for a rich farming district and has a population of 162. Besides these incorporated places, there are a number of flourishing villages.

WOODRUFF COUNTY

The County of Woodruff is located northeast of the center of the state, being bounded on the north by Jackson County; on the east by Cross and St. Francis;

on the south by Monroe and Prairie, and on the west by Prairie and White counties. It has an area of 577 square miles, most of which is level, fertile land, drained by the Cache and White rivers, the latter stream forming the greater part of the western boundary. Corn, cotton, rice and forage crops are the principal farm products. A considerable part of the county is timbered and sawmills are to be seen in most of the towns. Pearl fishing along the White River employs a number of persons every year.

The act creating the county was approved by Governor Flanagin on November 26, 1862. The territory comprising it was taken from the counties of Jackson and St. Francis and it was named for William E. Woodruff, founder of the first newspaper ever published in Arkansas. The first county officers were: Isaac McCurdy, judge; V. L. Walters, clerk; J. R. Jelks, sheriff; James Smock, treasurer; C. S. Cabler, surveyor; James Crawford, coroner.

Augusta, the county seat, was once the seat of justice of Jackson county. It was designated as the county seat in the act erecting the county and no change has ever been made, except to confer county seat honors upon the Town of Cotton Plant, near the southern boundary, where sessions of the courts are held for the convenience of the people in the southern district. These two towns are described in Chapter LI. Grays, on the Chicago, Rock Island & Pacific Railroad, near the center of the county, is a sawmill town, three lumber companies operating in that region. No separate returns of population were made by the census of 1920. Hunter, on the St. Louis Southwestern, in the southeast corner, is an incorporated town with a population of 343. Several sawmills are located here and the town is a trading and shipping point for a rich farming district. McCrory, on the Missouri Pacific in the east central part, was incorporated on March 17, 1890, and has a population of 687. It is a banking town, has a weekly newspaper, sawmills, general stores, etc. Patterson, located at the junction of the Rock Island and the Missouri Pacific railways, is an incorporated town, the railroad name of which is Jelks. It has a population of 261, a stave factory, general stores, etc., and is an important shipping point. Becton, De View, Gregory, Howell, Maberry and Riverside are busy little villages.

Woodruff is divided into thirteen townships, viz: Augusta, Barnes, Cache, Caney, Cotton Plant, De View, Dent, Franks, Freeman, Garden, Point, Pumpkin Bend, and White River. The population in 1920 was 21,547, a gain of 1,498 in ten years.

YELL COUNTY

Yell County was created by the act of December 5, 1840, out of territory taken from Pope and Scott counties, and was named for Archibald Yell, who had been inaugurated governor a month before the county was erected. It is situated northwest of the center of the state; bounded on the north by Logan and Pope counties; on the east by Perry County; on the south by Garland and Montgomery counties, and on the west by Scott and Logan counties. It has an area of 955 square miles and an average elevation of 577 feet. The southern part is rough and mountainous and is in the Arkansas National Forest. North of the forest reserve the valleys of the Fourche la Fave, Dutch and Petit Jean creeks offer inducements to the industrious farmer. Mount Nebo, near Dar-

danelle, with an elevation of 1,760 feet above sea level, is a popular summer resort.

The county is divided into the following townships: Bluffton, Briggsville, Centerville, Compton, Crawford, Danville, Dardanelle, Dawson, Delaware, Dutch Creek, Ferguson, Galley Rock, Gilkey, Gravelly Hill, Herring, Ions Creek, Lamar, Lower Lafave, Magazine, Mason, Mountain, Prairie, Reed Keathly, Richland, Riley, Rose Creek, Rover, Sulphur Springs, Ward, Waveland and Wilson. The population of the county in 1920 was 25,655. In 1910 it was 26,323. Notwithstanding the slight decrease in population, the assessed valuation of the county's property increased.

William H. Pevy's house was designated in the organic act as the temporary county seat. Commissioners were appointed to locate a permanent seat of justice and decided in favor of Danville. Some years later provision was made for holding sessions of the circuit, chancery and probate courts at Dardanelle, so that the county really has two seats of justice. The first county officers were: J. J. Morse, judge; J. Gault, clerk; T. P. Sadler, sheriff; C. F. Long, treasurer; D. W. James, surveyor; W. D. Sadler, coroner. William J. Parks was the first representative of the county in the state Legislature.

Among the pioneers of Yell County was Benjamin J. Jacoway, who came from Mississippi. His son, William D. Jacoway, studied law and was admitted to the bar in 1857. In October, 1878, he was elected judge of the Circuit Court, but resigned before the expiration of his term to resume the practice of law. Henderson M. Jacoway, a son of William D., served as prosecuting attorney of the Fifth Circuit and in 1910 was elected to Congress. Thomas Boles, who was judge of the Fourth Circuit under the Murphy government from 1865 to 1868, practiced law for some time in Dardanelle. In 1884 he was the republican candidate for governor, but was defeated by Simon P. Hughes. H. W. Walker was also a member of the Yell County bar immediately after the Civil war.

The Chicago, Rock Island & Pacific Railroad runs east and west through the central part of the county, with a branch from Ola to Dardanelle, on the Arkansas River. Dardanelle (see Chapter LI) is the only town in the county having a population of over one thousand. Danville, the principal county seat, was platted by John Howell in October, 1841, and was incorporated on February 9, 1899. It is on the main line of the Rock Island near the center of the county, and in 1920 reported a population of 833. It has a bank, a weekly newspaper, electric light, a sawmill, general stores, etc., and is a shipping point for a large part of the county. Belleville, on the railroad four miles west of Danville, was incorporated in April, 1899. It has a bank and the usual business enterprises found in towns with a population of 410. Havana, nine miles west of Danville, is an incorporated banking town with a population of 449. It has general stores, a broom factory and some minor enterprises. Ola, eleven miles east of Danville, is at the junction of the main line and the branch running to Dardanelle. It was incorporated on January 18, 1900, has an electric light plant, a bank, a broom factory, two sawmills, an ice cream factory, general stores, and a population of 655. Plainview, a town of 990 inhabitants, is south of Danville on a short railroad called the Central of Arkansas. It has a bank, a weekly newspaper, two sawmills and the usual run of mercantile concerns. Bluffton, Centerville, Rover and Stillwater are active villages.

danelle, with an elevation of 1,760 feet above sea level, is a popular summer resort.

The county is divided into the following townships: Bluffton, Briggsville, Centerville, Compton, Crawford, Danville, Dardanelle, Dawson, Delaware, Dutch Creek, Ferguson, Galley Rock, Gilkey, Gravelly Hill, Herring, Ions Creek, Lamar, Lower Lafave, Magazine, Mason, Mountain, Prairie, Reed Keathly, Richland, Riley, Rose Creek, Rover, Sulphur Springs, Ward, Waveland and Wilson. The population of the county in 1920 was 25,655. In 1910 it was 26,323. Notwithstanding the slight decrease in population, the assessed valuation of the county's property increased.

William H. Pevy's house was designated in the organic act as the temporary county seat. Commissioners were appointed to locate a permanent seat of justice and decided in favor of Danville. Some years later provision was made for holding sessions of the circuit, chancery and probate courts at Dardanelle, so that the county really has two seats of justice. The first county officers were: J. J. Morse, judge; J. Gault, clerk; T. P. Sadler, sheriff; C. F. Long, treasurer; D. W. James, surveyor; W. D. Sadler, coroner. William J. Parks was the first representative of the county in the state Legislature.

Among the pioneers of Yell County was Benjamin J. Jacoway, who came from Mississippi. His son, William D. Jacoway, studied law and was admitted to the bar in 1857. In October, 1878, he was elected judge of the Circuit Court, but resigned before the expiration of his term to resume the practice of law. Henderson M. Jacoway, a son of William D., served as prosecuting attorney of the Fifth Circuit and in 1910 was elected to Congress. Thomas Boles, who was judge of the Fourth Circuit under the Murphy government from 1865 to 1868, practiced law for some time in Dardanelle. In 1884 he was the republican candidate for governor, but was defeated by Simon P. Hughes. H. W. Walker was also a member of the Yell County bar immediately after the Civil war.

The Chicago, Rock Island & Pacific Railroad runs east and west through the central part of the county, with a branch from Ola to Dardanelle, on the Arkansas River. Dardanelle (see Chapter LI) is the only town in the county having a population of over one thousand. Danville, the principal county seat, was platted by John Howell in October, 1841, and was incorporated on February 9, 1899. It is on the main line of the Rock Island near the center of the county, and in 1920 reported a population of 833. It has a bank, a weekly newspaper, electric light, a sawmill, general stores, etc., and is a shipping point for a large part of the county. Belleville, on the railroad four miles west of Danville, was incorporated in April, 1899. It has a bank and the usual business enterprises found in towns with a population of 410. Havana, nine miles west of Danville, is an incorporated banking town with a population of 449. It has general stores, a broom factory and some minor enterprises. Ola, eleven miles east of Danville, is at the junction of the main line and the branch running to Dardanelle. It was incorporated on January 18, 1900, has an electric light plant, a bank, a broom factory, two sawmills, an ice cream factory, general stores, and a population of 655. Plainview, a town of 990 inhabitants, is south of Danville on a short railroad called the Central of Arkansas. It has a bank, a weekly newspaper, two sawmills and the usual run of mercantile concerns. Bluffton, Centerville, Rover and Stillwater are active villages.

CHAPTER XLVII

THE CITY OF LITTLE ROCK

LOCATION—ORIGIN OF NAME—EARLIEST DESCRIPTION—SETTLEMENT—DISPUTE OVER LAND TITLES—BLOWING UP THE TOWN—ARKOPOLIS—ROSWELL BEEBE GETS IN THE GAME—BEFORE THE LEGISLATURE—INCORPORATION—LITTLE ROCK BECOMES A CITY—LIST OF MAYORS—A FEW PIONEERS—PUBLIC UTILITIES—A FEW FIRST THINGS—CITY PARK—GROWTH OF THE CITY.

Little Rock, the capital of Arkansas and county seat of Pulaski County, is situated on a high, rolling plateau, on the south side of the Arkansas River, a little southeast of the geographical center of the state. When Bernard de la Harpe, the French explorer, passed up the Arkansas River in 1722, he noticed the outcrop of stone on the bank of the river, where the city now stands, and gave it the name of La Petite Roche (Little Rock), to distinguish it from the larger rocky bluff (now called Big Rock) two miles farther up the river. Thus the name conferred upon a feature of the site, almost a century before the first settlement was founded there, became the name of Arkansas' metropolis.

Perhaps the earliest description of the locality by an English writer is that given by Thomas Nuttall in 1819. He says: "The river, no longer so tediously meandering, here presents a stretch of six miles in extent, proceeding to the west of northwest. In the evening (March 20, 1819) we arrived at Mr. Hogan's, or the settlement of Little Rock, opposite to which appear the cliffs, formed of dark greenish colored, finely grained slaty sandstone, mixed with minute scales of mica, forming what geologists commonly term the 'grauwacke slate' and declining beneath the surface at a dip or angle of not less than 45 degrees from the horizon. The hills appear to be elevated from 150 to 200 feet above the level of the river and are thinly covered with trees. There are a few families living on both sides of the river, upon high, healthy and fertile land. * * * I am informed they were receiving accessions to their population from the states of Kentucky and Tennessee.

SETTLEMENT

It appears that the first white settler on the site of the present city was a hunter and trapper named William Lewis. The Legislature of 1840 appointed a committee to investigate the state's title to the lots upon which the state house had just been erected. Before that committee Chester Ashley testified that Lewis came down the Arkansas River with his family in July, 1812, and located near a spring on the south bank, where he erected a "shack" about 8 by 10 feet, roofed with clapboards, with boards set up against the sides, too low to stand up in and open at the ends. Ashley said Lewis remained there only about three

months, "subsisting wholly on the spontaneous productions of the earth and the charity of a few neighbors on the north side of the river, and had not planted or cultivated anything."

Chester Ashley, who gave this testimony, was born at Amherst, Massachusetts, June 1, 1791. When he was three years old his parents removed to Hudson, New York, where he received his early education. He then entered Williams College and graduated in 1813, after which he studied law at Litchfield, Connecticut, was admitted to the bar, and located at Edwardsville, Illinois, but after a short time removed to St. Louis. Here he became acquainted with William Russell, who persuaded him to remove to the new Territory of Arkansas. Mr. Ashley became a resident of Little Rock in 1820. He was one of the founders of the town, one of the leading attorneys of Arkansas for many years, was elected to the United States Senate in 1844 and remained a member of that body until his death on April 29, 1848, at Washington, D. C.

On July 4, 1821, Mr. Ashley married Miss Mary W. W. Elliott, of Cape Girardeau, Missouri, brought his bride to Little Rock and erected the family residence at the corner of Markham and Scott streets, which for many years was one of the landmarks of the city. Two of his sons—William E. and Henry C. Ashley—grew to manhood, and a daughter, Frances A., became the wife of Rev. Andrew Freeman.

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Nevertheless, before the close of that year, Lewis obtained through the United States land office at Nashville, Tennessee, a certificate for a preemption claim, to cover a tract of land on the Arkansas River near the Little Rock, on account of "habitation and cultivation." This claim was sold by Lewis to Elisha White for ten dollars. White sold the claim to Wright Daniels, a settler a few miles down the river, who sold it to Reuben Blunt, and Blunt sold it to Benjamin Murphy. None of these holders of the certificate went to the trouble to perfect a title and the claim finally fell into the hands of William Russell, an unscrupulous land speculator. All this resulted in a

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It seems that Murphy was a thrifty sort of a fellow, as he sold interests in his claim to William Trimble, Townsend Dickinson, Henry W. Conway, Rufus Spalding and William Russell. Townsend Dickinson sold his interest to Robert C. Oden and William Russell quit-claimed to Robert Crittenden one-sixteenth of "a preemption to land originally improved by William Lewis and granted to B. Murphy," etc. All this was preparatory to having the seat of government removed to Little Rock. The Gazette of May 27, 1820, then published at Arkansas Post, says:

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A special session of the Legislature met at Arkansas Post on October 2, 1820, and Joseph Harden, of Lawrence County, was chosen speaker of the house. On the 13th Townsend Dickinson conveyed to Mr. Harden an interest in the Murphy preemption claim, no doubt for the purpose of enlisting his coöperation in securing the passage of the bill for the removal of the seat of government. The "company of enterprising gentlemen from St. Louis," mentioned by the Gazette, consisted of one person—William Russell. The others—Trimble, Dickinson, Crittenden, Oden, et al.—were all Arkansas politicians, who were more interested in "lining their pockets" than anything else. The act for the removal of the capital was approved by Governor Miller on October 18, 1820, five days after Speaker Harden acquired an interest in the town site, the act to take effect on the first of the following June.

In the meantime Frederick Bates, recorder of land titles in Missouri Territory, had issued in the fall of 1815 New Madrid certificates to Eloy Dejarlois, Francis Lessieur and Peter Porier, which entitled them to locate lands in lieu of those they had lost by the New Madrid earthquake. These certificates were bought by William O'Hara, of St. Louis, who assigned to Stephen F. Austin a half interest in the Dejarlois certificate. The 160 acres to which the holder of this certificate was entitled, were located by O'Hara and Austin on February 24, 1819. O'Hara sold to James Bryan a one-sixth interest in the Lessieur claim, the 160 acres under which had been located by James C. Canfield in November, 1819. He also sold to James Bryan a one-third interest in the Porier claim. Austin disposed of his interest to James Bryan and went to Texas.

On August 17, 1820, the deeds relating to these several transfers were filed with Archibald Gamble, clerk of the court in Jefferson County, Missouri, and recorded in Pulaski County by Clerk A. H. Rennick on November 23, 1820. In these documents it was set forth that O'Hara and Bryan had "agreed to lay out and survey the said three tracts of land located by the certificates above described into town lots, streets and commons. * * * in form and manner as appears by a map or town plat hereto annexed."

From the above it is evident that O'Hara and Bryan's town could not have been laid off prior to August 17, 1820, or at least that no lots had been offered for sale. As the New Madrid claims overlapped the Lewis preemption, upon which the Russell crowd based their claim to the land, a conflict of interests was inevitable. Shinn, in his "Pioneers and Makers of Arkansas," says: "Each of the great speculating companies had its cohort of surveyors and each laid off a town, one town being laid off on top of the other. One town was called Little Rock and the town on top of it was called Arkopolis. Everybody was busy. The Little Rock crowd swore they would fight it out on that line if it took all summer. The Arkopolis crowd said 'Me too.'"

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BLOWING UP THE TOWN

In the fall of 1819 Russell began "forcible entry and detainer" proceedings to get possession of the town site. In June, 1821, the Superior Court of the Territory decided in his favor, awarding him a writ of restitution, which gave him possession of nearly all the improvements that had been made. This decision of the court filled the New Madrid claimants with consternation. Some of them blew up with powder most of the buildings they had erected; others removed their buildings off the portion of the town site of which Russell had thus obtained possession.

One would naturally suppose that Russell and his associates, armed with the decision of the court would be satisfied. But there was still that lingering doubt that title under the Lewis claim was not perfect. In November, 1821, Russell renewed his proposals for a compromise. Chester Ashley was opposed to having any dealings with Russell, but a majority of the New Madrid claimants, fearing the results of the court decision and knowing that an effort was being made to remove the seat of government to Crystal Hill, concluded that a compromise was best for their interest. The Gazette of December 29, 1821, the first issue at Little Rock, says: "Until within a few weeks, the title to the tract of land selected as the town site has been in dispute; but happily for the town and the territory generally, the parties concerned became sensible of the propriety of settling their conflicting claims in an amicable manner, which they have done, and the soil is now free from dispute."

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The name "Arkopolis" was adopted at a "large and respectable meeting of the citizens" on February 3, 1821. An account of the meeting was sent to the Gazette, the writer dating his letter 'Arkopolis (formerly Little Rock)" and explaining that the name was "a combination of the first syllable of Arkansas and the Greek word polis, meaning 'city.'" After the compromise between the contending claimants was effected in the fall of 1821, the name Arkopolis was abandoned and the place has ever since been known as Little Rock.

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town covered by the alleged preemption of 1814 and the New Madrid certificates, reached the conclusion that all titles thereunder were illegal and void. He decided that the best method of curing the defect was to obtain floating preemption rights under the act of May 29, 1830, locate the "floats" upon the town site of Litle Rock, and thus clear the title. Accordingly, in April, 1838, he appointed Joseph Henderson as his agent to purchase such "floats," etc.

Beebe based his conclusions upon a decision of the United States attorney-general, B. F. Butler, handed down on May 3, 1836, to the effect that Lewis' claim of 1814 was invalid, because the land upon which it was located was then the property of the Quapaw Indians; and also upon the decision of the commissioner of the general land office, the secretary of the treasury and the attorney-general, that New Madrid certificates could be located only upon lands subject to entry at the time of the passage of the act on February 17, 1815, three years before the Quapaw relinquished their claim to the site of Little Rock.

Henderson, as agent for Beebe, purchased a floating right from Jackson and Joel Crain for 160 acres, and one from George Harris for 80 acres. Beebe explained his object to various citizens of the town, who joined with him in urging that patents be granted upon the floats, in order that their titles might be perfected beyond dispute. Early in the year 1839, Beebe went to Washington and obtained the patents, agreeing to indemnify the holders of lots. Having obtained his patents, he issued the following:

NOTICE

"The undersigned having received from the United States patents upon the entries made by him of the tracts of public lands at Little Rock, which by the deeds of compromise and partition, executed by Messrs. Ashley, Russell and other alleged original proprietors on the 22nd day of November, 1821, are therein described as having been by them laid off into town lots.

"Therefore notice is hereby given to all concerned, that the undersigned will be prepared after the first day of January next, pursuant to his covenant executed on the 6th day of July, 1838, and duly recorded in the office of the recorder in and for the County of Pulaski, and State of Arkansas, to make the several deeds of relinquishment as therein contemplated.

"ROSWELL BEEBE."

BEFORE THE LEGISLATURE

At the opening of the General Assembly in November, 1840, Gov. James S. Conway laid before that body the proposition of Roswell Beebe to quit-claim to the state the grounds upon which the state house stood. The matter was referred to the judiciary committee, which made an adverse report, claiming that Beebe's title was imperfect, etc. The memorial of Beebe, the testimony, exhibits, report of the judiciary committee, etc., fill a volume of some two hundred pages, from which the foregoing facts regarding land titles have been selected.

The Legislature of 1843 accepted Beebe's proposition and on the 23d of January of that year he and his wife executed a deed to the state for the lots

occupied by the state house, for a consideration of one dollar. In the meantime, other holders of lots, purchased from Russell, Ashley and others, had their titles perfected by accepting deeds from Beebe at nominal considerations and a long standing dispute was finally settled.

INCORPORATION

The first act passed by the Legislature concerning Little Rock was approved by Governor Izard on October 27, 1825. It did not incorporate the town, but it gave the citizens the privilege of electing five trustees, who were empowered to levy taxes (not to exceed $20 on any one person annually); appoint a commissioner to procure a list of all taxable property; an overseer of the streets; pass by-laws to suppress vice and immorality, and erect a market house.

Under this act Robert Crittenden, Joseph Henderson, Nicholas Peay, Bernard Smith and Isaac Watkins were elected trustees. Bernard Smith was elected president and Jesse Brown, who taught the first school in the town, was elected clerk of the board. At a meeting of the trustees on February 4, 1826, the following ordinances were passed: 1. To prescribe the duties of the overseer of streets. 2. To regulate the conduct of negro slaves and free negroes. 3. To prohibit white men from gambling with negroes. 4. To prohibit gaming in public taverns, etc. 5. To prohibit shooting upon the streets on the Sabbath day.

On June 26, 1826, an ordinance appointing a clerk of the market house was passed. Prior to that time the trustees had let a contract for the building of a market house, which was "situated a few rods east of the residence of Doctor Cunningham." The clerk appointed on June 6th was required to weigh butter, examine all products offered on the market and condemn those unfit for food, etc. Wednesdays and Saturdays were designated as market days, the market then to be open from daylight until 10 A. M., during which time any citizen purchasing elsewhere, such articles as were offered on the market, was liable to a fine of one dollar. After 10 A. M. those on market who had anything left were permitted to peddle such remaining products from house to house.

An act, "supplementary to an act for the regulation of the Town of Little Rock," was approved by Governor Izard on October 20, 1827. In this act, which enlarged the powers of the trustees, the town is twice mentioned as a "corporation," hence it may be said that the incorporation of the town dates from its passage. The first election under the new law occurred on January 7, 1828. James C. Collins, Allen B. Lackland, Thomas W. Newton, Nicholas Peay and Bernard Smith were chosen trustees and in the organization of the board Bernard Smith was again elected president. He was succeeded in 1829 by Dr. Matthew Cunningham, who was succeeded in 1830 by John McLain. Mr. McLain served until the town was fully incorporated by the act of November 7, 1831.

The act of November 7, 1831, provided that "the mayor and town council of said Town of Little Rock, and their successors forever, shall be a body politic and corporate, in deed and in law, by the name and style of the 'Mayor and Town Council of the Town of Little Rock,' * * * and generally shall have all the privileges and franchises incident to a corporation or body politic."

town covered by the alleged preemption of 1814 and the New Madrid certificates, reached the conclusion that all titles thereunder were illegal and void. He decided that the best method of curing the defect was to obtain floating preemption rights under the act of May 29, 1830, locate the "floats" upon the town site of Litle Rock, and thus clear the title. Accordingly, in April, 1838, he appointed Joseph Henderson as his agent to purchase such "floats," etc.

Beebe based his conclusions upon a decision of the United States attorney-general, B. F. Butler, handed down on May 3, 1836, to the effect that Lewis' claim of 1814 was invalid, because the land upon which it was located was then the property of the Quapaw Indians; and also upon the decision of the commissioner of the general land office, the secretary of the treasury and the attorney-general, that New Madrid certificates could be located only upon lands subject to entry at the time of the passage of the act on February 17, 1815, three years before the Quapaw relinquished their claim to the site of Little Rock.

Henderson, as agent for Beebe, purchased a floating right from Jackson and Joel Crain for 160 acres, and one from George Harris for 80 acres. Beebe explained his object to various citizens of the town, who joined with him in urging that patents be granted upon the floats, in order that their titles might be perfected beyond dispute. Early in the year 1839, Beebe went to Washington and obtained the patents, agreeing to indemnify the holders of lots. Having obtained his patents, he issued the following:

NOTICE

"The undersigned having received from the United States patents upon the entries made by him of the tracts of public lands at Little Rock, which by the deeds of compromise and partition, executed by Messrs. Ashley, Russell and other alleged original proprietors on the 22nd day of November, 1821, are therein described as having been by them laid off into town lots.

"Therefore notice is hereby given to all concerned, that the undersigned will be prepared after the first day of January next, pursuant to his covenant executed on the 6th day of July, 1838, and duly recorded in the office of the recorder in and for the County of Pulaski, and State of Arkansas, to make the several deeds of relinquishment as therein contemplated.

"ROSWELL BEEBE."

BEFORE THE LEGISLATURE

At the opening of the General Assembly in November, 1840, Gov. James S. Conway laid before that body the proposition of Roswell Beebe to quit-claim to the state the grounds upon which the state house stood. The matter was referred to the judiciary committee, which made an adverse report, claiming that Beebe's title was imperfect, etc. The memorial of Beebe, the testimony, exhibits, report of the judiciary committee, etc., fill a volume of some two hundred pages, from which the foregoing facts regarding land titles have been selected.

The Legislature of 1843 accepted Beebe's proposition and on the 23d of January of that year he and his wife executed a deed to the state for the lots

occupied by the state house, for a consideration of one dollar. In the meantime, other holders of lots, purchased from Russell, Ashley and others, had their titles perfected by accepting deeds from Beebe at nominal considerations and a long standing dispute was finally settled.

INCORPORATION

The first act passed by the Legislature concerning Little Rock was approved by Governor Izard on October 27, 1825. It did not incorporate the town, but it gave the citizens the privilege of electing five trustees, who were empowered to levy taxes (not to exceed $20 on any one person annually); appoint a commissioner to procure a list of all taxable property; an overseer of the streets; pass by-laws to suppress vice and immorality, and erect a market house.

Under this act Robert Crittenden, Joseph Henderson, Nicholas Peay, Bernard Smith and Isaac Watkins were elected trustees. Bernard Smith was elected president and Jesse Brown, who taught the first school in the town, was elected clerk of the board. At a meeting of the trustees on February 4, 1826, the following ordinances were passed: 1. To prescribe the duties of the overseer of streets. 2. To regulate the conduct of negro slaves and free negroes. 3. To prohibit white men from gambling with negroes. 4. To prohibit gaming in public taverns, etc. 5. To prohibit shooting upon the streets on the Sabbath day.

On June 26, 1826, an ordinance appointing a clerk of the market house was passed. Prior to that time the trustees had let a contract for the building of a market house, which was "situated a few rods east of the residence of Doctor Cunningham." The clerk appointed on June 6th was required to weigh butter, examine all products offered on the market and condemn those unfit for food, etc. Wednesdays and Saturdays were designated as market days, the market then to be open from daylight until 10 A. M., during which time any citizen purchasing elsewhere, such articles as were offered on the market, was liable to a fine of one dollar. After 10 A. M. those on market who had anything left were permitted to peddle such remaining products from house to house.

An act, "supplementary to an act for the regulation of the Town of Little Rock," was approved by Governor Izard on October 20, 1827. In this act, which enlarged the powers of the trustees, the town is twice mentioned as a "corporation," hence it may be said that the incorporation of the town dates from its passage. The first election under the new law occurred on January 7, 1828. James C. Collins, Allen B. Lackland, Thomas W. Newton, Nicholas Peay and Bernard Smith were chosen trustees and in the organization of the board Bernard Smith was again elected president. He was succeeded in 1829 by Dr. Matthew Cunningham, who was succeeded in 1830 by John McLain. Mr. McLain served until the town was fully incorporated by the act of November 7, 1831.

The act of November 7, 1831, provided that "the mayor and town council of said Town of Little Rock, and their successors forever, shall be a body politic and corporate, in deed and in law, by the name and style of the 'Mayor and Town Council of the Town of Little Rock,' * * * and generally shall have all the privileges and franchises incident to a corporation or body politic."

LOOKING WEST ON MARKHAM STREET, LITTLE ROCK, 1865

BIRD'S-EYE VIEW OF LITTLE ROCK, 1871

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BIRD'S-EYE VIEW OF LITTLE ROCK, 1871

It was further provided that the mayor and the four members of the town council should be elected annually on the first Monday in January. The first election was held on January 2, 1832, when Matthew Cunningham was elected mayor, Charles Caldwell, Benjamin Clemens, David Holt and John McLain, councilmen. Rev. W. W. Stevenson was elected mayor in 1833; Elijah A. More, 1834; David Fulton, 1835. The only returns to be found of any of the town elections are those for 1834, when Elijah A. More received 65 votes; Isaac Sutton, 44; Benjamin W. Thornberry, 9, making a total of 118 votes cast for mayor in that year.

LITTLE ROCK BECOMES A CITY

Within a few years the people of Little Rock became convinced that the charter of 1831 was inadequate to meet the demands of the rapidly growing town. Consequently, a public meeting was called for the evening of October 14, 1835, at the Presbyterian Church, "for the purpose of concerting measures for obtaining from the Legislature a charter for our town, which will enable the citizens thereof to pass and enforce wholesome laws and ordinances," etc. Rev. W. W. Stevenson presided and Lemuel R. Lincoln was chosen secretary. According to the Gazette's account of the meeting, Messrs. Roysdon, Ashley, Rorer, Sprague, Crutchfield, Stevenson and Pike were appointed a committee to draft a charter and report to an adjourned meeting at the same place on the evening of the 16th. At the adjourned meeting Dudley D. Mason was called to the chair and C. E. Rice was appointed secretary. The report of the committee was amended slightly and unanimously adopted. It was then referred back to the committee with instructions to make a correct copy and draft a petition to the Legislature requesting the passage of a law incorporating the City of Little Rock. The committee carried out the instructions and on November 2, 1835, Governor Fulton approved the act of incorporation.

Section 1 of the act provided: "That all that part of the Township of Big Rock, in the County of Pulaski, included in the original plan of the Town of Little Rock, as of record in the recorder's office in said county, together with the whole of that part of said township included in the selection and location of the one thousand acres of land selected and located by John Pope, late governor of said territory, under the act of Congress granting one thousand acres of land for the erection of a courthouse and jail at Little Rock, which lies west of a line to be run and extended through the said one thousand acre location, due south from the 'Spout Spring,' on the south margin of the Arkansas River, near the last end of the addition to the Town of Little Rock, shall be, and the same are hereby erected into a corporate city, forever, and shall henceforth be called, distinguished and known by the name of the City of Little Rock."

The act provided that the first election for city officers should be held on the second Wednesday in November, 1835, and that the officers then elected should serve until the first Monday in January, 1837. At the first election on November 11, 1835, the following officers were chosen: James Pitcher, mayor; William M. Field, city judge; Sterling H. Tucker, recorder; John N. Boyle, treasurer; R. C. Hawkins, superintendent of streets; Luther Chase, constable;

N. H. Badgett, David G. Eller, William Jordan, Benjamin Linebaugh, Daniel Ringo, F. M. Rutherford, Henry F. Shaw and R. A. Watkins, aldermen.

Mayors—It has been frequently stated that Dr. Matthew Cunningham was the first mayor of the city. But by consulting the newspaper files of that period it is learned that James Pitcher was elected in November, 1835, and served until January, 1838. The mayors since then, with the year in which each was elected, have been as follows: Jesse Brown, 1838; S. H. Webb, 1840; John Widgery, 1842 (resigned on May 24, 1842, and Samuel G. Trowbridge was elected. Trowbridge resigned on January 4, 1843, when Thomas S. Reynolds was elected. Reynolds resigned on September 12, 1843, and Eli Colby was elected); William Brown, Sr., 1844; Lambert J. Reardon, 1845; Roderick L. Dodge, 1847; S. H. Webb, 1848 (resigned on April 19, 1849, and Roswell Beebe was elected); Roswell Beebe, 1850; D. J. Baldwin (elected on February 13, 1850, for the unexpired term of Roswell Beebe, resigned); John E. Knight, 1851; Andre J. Hutt, 1852; Thomas D. Merrick, 1854; Charles P. Bertrand, 1855; William E. Ashley, 1857; Gordon N. Peay, 1859; William E. Ashley, 1861. Mr. Ashley's third term was cut short by the occupation of Little Rock by the Federal army in September, 1863. The mayors since the Civil war have been: John J. McAlmont, 1866; John W. Hopkins, 1867; John Wassell (military appointment), 1868; A. K. Hartman, 1869 (suspended in January, 1870, and J. G. Botsford was elected to fill the vacancy); Robert F. Catterson, 1871; Frederick Kramer, 1873; John G. Fletcher, 1875; Frederick Kramer, 1881; William G. Whipple, 1887; Henry L. Fletcher, 1891; M. G. Hall, 1893; James A. Woodson, 1895; William R. Duley, 1900; W. E. Lenon, 1903 (served until June 22, 1908, when he resigned and William R. Duley was elected for the unexpired term); William R. Duley, 1909; Charles E. Taylor, 1911; Benjamin D. Brickhouse, 1919.

A FEW PIONEERS

Among those who settled in Little Rock and took part in its affairs, from the time it was founded until it was incorporated as a city in 1835, were a few who are entitled to more than casual mention.

William M. O'Hara, one of those who located the town site by New Madrid certificates, was never a resident of Little Rock, though he played an important role in its early history. In a brief notice in the Gazette of his death at Arkansas Post on July 21, 1821, his place of residence was given as St. Louis. That he was a land speculator is true; but that he was more honorable than many of the speculators of that day is also true. At the time of his death he had an injunction suit against William Russell and others pending in the Pulaski Chancery Court, concerning the title to the Little Rock town site.

Moses Austin was born in Connecticut. In 1798 he came west and for several years was engaged in lead mining in Missouri. In the fall of 1819 he had a small house built just west of the Quapaw line, and this rude structure, partly constructed of cypress slabs set up on end, is said to have been the first house in Little Rock. It was built by Mr. Austin to perfect a claim of entry made by his son-in-law, James Bryan, who afterward became the partner of O'Hara. A few months after this shanty was erected, Mr. Austin obtained a concession to

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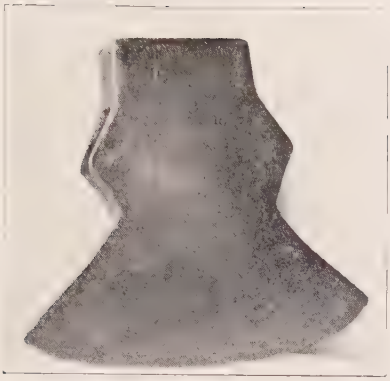


BROADAXE SAID TO HAVE BEEN USED TO HEW THE LOGS IN THE FIRST HOUSE BUILT ON SITE OF THE CITY OF LITTLE ROCK

MOSES AUSTIN
Whom tradition says built the first house in Little Rock

MAJOR ISAAC WATKINS
One of the first settlers at Little Rock

plant a colony in Texas. He died in 1821 and his son, Stephen F. Austin, founded the colony planned by his father. The capital of Texas bears the name "Austin," in honor of father and son.

Dr. Matthew Cunningham came to Little Rock in February, 1820. He was born in Philadelphia in 1784, graduated in medicine at the University of Pennsylvania in 1808, and was a surgeon in the army in the War of 1812. His residence in Little Rock was on the southwest corner of Main and Third streets. His wife was the first woman to become a resident of Little Rock, and his son, Chester A., born in 1822, is said to have been the first white child born in the town. Doctor Cunningham served as the first mayor of Little Rock under the incorporation of 1831 and was otherwise active in municipal affairs until his death in 1854.

Isaac Watkins came to Little Rock in March, 1821, from Shelbyville, Kentucky. He was born in Virginia, April 10, 1777, a son of Thomas and Sallie (Walton) Watkins. When he arrived in Little Rock the only house he could find unoccupied was a log cabin near the intersection of Fourth and Scott streets, then on the extreme outskirts of the town. Here he and his family lived until he completed the first frame house in the town, in which he opened a house of entertainment called the "Little Rock Tavern." He also established a horse mill, which would "grind six bushels per hour by pushing the horses a little." Before coming to Arkansas, Mr. Watkins had held a commission as major in the Kentucky militia. He was the first clerk of the Baptist Church in Little Rock.

On December 13, 1827, while Major Watkins was in John McLain's store, talking to the proprietor, a worthless character and suspected horse thief named John Smith entered and, without a word of warning, discharged his rifle at close range at Major Watkins, the bullet lodging in his breast. His death occurred within an hour. George C. Watkins, a son of this pioneer, was the second attorney-general of Arkansas and in 1852 was elected chief justice of the Supreme Court. Another son, Robert A. Watkins, was one of the early physicians and was elected the first secretary of state in 1836. On March 11, 1921, a life size portrait in oil of Major Watkins was presented to the Arkansas History Commission by his descendants.

Amos Wheeler, who was appointed the first postmaster of Little Rock, when the office was established in March, 1820, was influential in having the seat of government removed from Arkansas Post to Little Rock. Little can be learned of his history. On June 1, 1822, he married a daughter of Joseph Charless, of St. Louis, and died eight days later.

Bernard Smith came to Little Rock in 1821, having been appointed register of the United States land office. He was born in New Jersey in 1776; was private secretary to President Jefferson and chief clerk in the department of state; was elected to Congress from New Jersey in 1818, and after coming to Little Rock was president of the board of town trustees for several years under the acts of 1825 and 1827. About 1824 he built the house on the southeast corner of Fourth and Scott streets, which afterward became the residence of Dr. R. L. Dodge. Mr. Smith died at Little Rock on July 16, 1835.

Charles P. Bertrand, Henry W. Conway, Robert C. Oden, Judge Andrew Scott and William E. Woodruff, all of whom were residents of Little Rock as early as 1821, have been mentioned in detail in other chapters.

Rev. William W. Stevenson, a native of Virginia, came to Little Rock in 1820. He was educated for a Presbyterian minister, but later joined the Christian church and became one of its most enthusiastic preachers. He was elected mayor of Little Rock in 1833, and was active in securing the incorporation of the city in 1835. Featherstonhaugh, the English traveler, stopped with Mr. Stevenson on the occasion of his visit to Little Rock, and describes him as an "affable, scholarly gentleman." Mr. Stevenson was one of the founders and first president of the "Arkansas Natural History and Antiquarian Society." He married Maria Watkins, widow of Isaac Watkins, who was born in Williamsport, Maryland, in 1793, married her first husband in Kentucky and was the second white woman to become a resident of Little Rock, where she died on March 24, 1874. Mr. Stevenson went to California soon after the discovery of gold there and never returned to Arkansas. The date of his death in California is not known.

Thomas W. Newton was born in Virginia on January 18, 1804; came to Arkansas Post when about fourteen years of age; carried the mail between Arkansas Post and Little Rock from 1820 to 1822; lived in Little Rock from 1822 to 1829; then went to Shelby County, Kentucky, where he lived for several years. In 1834 he returned to Little Rock and lived there until his death in 1853. Before going to Kentucky he read law with Robert Crittenden and was deputy postmaster under Henry W. Conway, whom he succeeded as postmaster. He was secretary of the upper house of the Territorial Legislature in 1823 and 1825; was United States marshal in 1841, and in 1847 was elected to Congress for the unexpired term of Archibald Yell, who resigned because he was colonel of the Arkansas mounted men in the Mexican war. His sons, Robert C., and Thomas W., both distinguished themselves as soldiers in the Confederate army during the Civil war.

Nicholas Peay came from Shelbyville, Kentucky, some time in the summer of 1825. He rented a two story frame building on Main Street near the river and opened a hotel. About two years after his arrival he bought six lots on the corner of Markham and Scott streets, where he built a hotel, in the management of which his partner was John English. This hotel burned down in 1840 and the next year a three-story brick building was erected on the site. This hotel was afterward known as the "Anthony House." Mr. Peay died in 1842. Some of his descendants still live in Little Rock.

About 1825 Noah H. Badgett came to Little Rock from Tennessee and entered John McLain's store as a clerk. He married a step-daughter of Mr. McLain and became a partner, the firm name being McLain & Badgett. In November, 1835, he was elected a member of the first city council. He died on August 9, 1879, aged seventy-one years.

P. T. Crutchfield, a native of Virginia, came to Little Rock in 1827, then being a young man of twenty-four. He married Miss Elizabeth, daughter of William Field; was receiver of public moneys for some time; was paymaster in the army in Mexico during the war with that country; was at one time the owner of the land where the new capitol now stands; and died on January 12, 1861. His only daughter became the wife of N. B. Burrow.

Little Rock received a valuable accession to the population about 1828, through the arrival of a number of thrifty, enterprising Germans. Jacob Reider

PROCESSION, MAIN STREET, LITTLE ROCK, IN HONOR OF GENERAL U. S. GRANT, APRIL 15, 1880

WHARF AT COMMERCE STREET, LITTLE ROCK, ABOUT 1885

was one of these. He erected a frame building on the southwest corner of Main and Markham streets, in which he opened a store. In 1833 he married Miss Ann, daughter of Archibald McHenry, and was for many years one of the prominent business men of the city. The other Germans referred to were the five George brothers—Alexander, Henry, Louis, Martin and William. Two of these brothers erected the first brewery; William and Louis were engaged in the mercantile business, and Alexander was for a number of years the lessee of the penitentiary. Descendants of these German pioneers still live in the city.

Sterling H. Tucker became a merchant in Little Rock in 1833. Later he became interested in the banking business. He was born in North Carolina but settled in Memphis as early as 1828. At the first city election in November, 1835, he was elected recorder. His son, Sterling W. Tucker was at one time general passenger agent of the Memphis & Little Rock Railroad.

William B. Wait was born in Groton, Connecticut, January 10, 1808. He came to Arkansas in 1830 and first located at Arkansas Post. In 1834 he came to Little Rock and formed a partnership with Edward Dunn in the merchandising business, under the firm name of Wait & Dunn. Two years later Mr. Dunn died and Mr. Wait returned to Arkansas Post, where he became a partner of Charles Notrebe. After Mr. Notrebe's death Mr. Wait again came to Little Rock and opened a store, which was burned in 1854. He then engaged in the collection and exchange business. After the Civil war he was prominently identified with the banking interests of the city until his death on February 16, 1892.

William Field was the son of a Revolutionary soldier. His father, Abner Field, was born in Culpeper County, Virginia; served for four years in Washington's army; after the war settled near Louisville, Kentucky, and was the first representative from Jefferson County to the Virginia Legislature. After Kentucky was admitted he was a member of the Legislature of that state. He died near Louisville on August 11, 1831. William Field came to Arkansas soon after the territory was organized. He succeeded Dr. John T. Fulton as postmaster of Little Rock; was clerk of the Territorial Superior Court from 1829 to 1836, and was the first city judge under the charter of 1835. (See chapters on Bench and Bar and Medical Profession for early lawyers and physicians.)

PUBLIC UTILITIES

Goodspeed's "History of Central Arkansas" says the Little Rock Gaslight Company was organized in 1855 by J. L. Strother. Hempstead, in his "Pictorial History of Arkansas," says that the streets were first lighted by gas in 1859. It appears that both these statements are incorrect. If Mr. Strother obtained a franchise in 1855 it does not appear that he ever made use of it, for on April 5, 1860, a franchise was granted to the Little Rock Gas Company. Just a month later (May 5, 1860) the True Democrat contained an announcement that the Messrs. Slaughter, contractors for the erection of the gasworks at the foot of Cumberland Street, had the street mains in and that the city would be lighted by gas on or before the first of August.

During the next twenty years several changes in the personnel of the company were made. In 1882 John D. Adams was elected president and Dean

Adams secretary. Upon the introduction of natural gas, about 1910, the plant was taken over by the Little Rock Gas and Fuel Company.

When the streets were first lighted by gas in 1860, Richard Wilson and Benjamin Pate—commonly called Dick and Ben—were the city lamplighters. As they went their rounds in the evening, each carried a small ladder and a lantern, from which they lighted the street lights. In the morning they made their rounds without the lantern and turned off the gas. They were often accompanied by a crowd of small boys, who insisted upon lightening their labors by carrying the lantern and ladder.

Electric Light—The first electric lights were introduced in September, 1888, and by the close of the year there were seventy street lights in operation. This included the four municipal towers, located at Markham and Pulaski streets, Tenth and Bishop streets, Main and Twenty-first streets, and Ninth and Rector streets. In time the towers were discarded and lights installed at nearly every street crossing in the central portion of the city, and at frequent intervals in the other parts. The plant is now operated by the Arkansas Light and Power Company.

Waterworks—In 1884 a waterworks company was organized and a standpipe erected near the foot of Cross Street. After passing through several ownerships, Zeb Ward acquired a controlling interest and in 1886 began the construction of large reservoirs on the bluff about two miles above the city, at an elevation of about two hundred and fifty feet above the business district. Water was turned on May 4, 1888. The supply is pumped from the Arkansas River into the reservoirs, where it is thoroughly filtered before being turned into the mains. In 1889 the plant and franchise were purchased by eastern capitalists, who changed the name to the Home Water Company. About 1910 the name was changed to the Arkansas Water Company.

Street Railway—The first street car company in Little Rock was incorporated on June 17, 1870. W. E. Wright was president and the franchise required the company to have one-half mile of track laid and in use within three years. The company failed to carry out this provision and on June 13, 1873, a franchise was granted to the Citizens Street Railway Company. About the same time the Little Rock Railway Company was incorporated; on October 10, 1876, Logan H. Roots, Thomas Fletcher and John M. Harrell applied for a charter to lay a street railway line on Markham Street; and at the same time John Cross and Charles R. Diver submitted a proposition to construct a street railway. Their proposition was accepted and after some remonstrance, the first "mule car" made its appearance upon the streets.

During the period from 1881 to 1887 three other street railway companies were incorporated. One of these—the City Electric Street Railway Company—obtained a charter permitting it to use electric or steam power. The line was built from the junction of Second and Louisiana streets to the southwestern part of the city, two diminutive locomotives were purchased, and the road went into operation on July 4, 1888. The locomotives each drew one or two cars, as occasion demanded, and made the round trip in about an hour. In June, 1895, this company and the Capital City Railway Company went into the hands of a receiver and were reorganized as the Little Rock Railway and Electric Company, with Judge W. E. Hemingway as president. A number of changes, re-

incorporations, new stock issues, etc., have been made since that time. In 1921 the capital stock of the company was $2,000,000 common and $750,000 preferred.

Telephone Exchange—Little Rock was one of the first cities in the country to insta'l telephone service. In November, 1879, shortly after the invention of the instrument, the Western Union Telegraph Company opened a telephone exchange under the management of Arthur F. Adams. At first there were but few telephones, those of the leading business houses, banks, etc. Then the Bell Compay entered the field, took over the business established by the Western Union, and in 1921 there were over twelve thousand subscribers in Little Rock, North Little Rock and the suburbs of the city.

A FEW FIRST THINGS

The first white woman resident of Little Rock was the wife of Dr. Matthew Cunningham, who came in the latter part of the summer of 1820.

The first postmaster was Amos Wheeler, who was appointed when the post office was established in March, 1820.

The first death was that of Maj. Noah Lester, who came to Little Rock about June 1, 1820, and died about the middle of that month.

The first sermon was preached on July 4, 1820, by Rev. Cephas Washburn, who was on his way to found the Cherokee mission.

The first hotel was established by Maj. Isaac Watkins in the summer of 1821.

The first newspaper was issued on December 29, 1821. It was the Arkansas Gazette, which had been removed from Arkansas Post by William E. Woodruff.

The first white child born in the city was Chester A. Cunningham, son of Dr. Matthew and Eliza (Wilson) Cunningham. He was born in 1822.

The first mill was a horse mill, put up by Isaac Watkins in the summer of 1822.

The first office building, a row of log houses on the north side of Markham Street, extending from Main Street to the first alley west, was erected in 1825. One of these rooms was occupied by the Superior Court of the territory.

The first church building was erected by the Baptists in 1825. It stood on the b'ock bounded by Main, Third, Scott and Fourth streets.

The first brickyard was started in 1826 by Christian Brumbach and Benjamin Clements.

The first fire engine was purchased by the town trustees in 1834. It was a hand-engine, quite a primitive affair, but the volunteer fire company was proud of it.

The first theatrical performance was given by the Thalian Society on the evening of November 4, 1834.

The first common seal for the town was adopted by ordinance on January 8, 1835. It was presented by Mayor David Fulton and bore the initials "D. F." Section 2 of the ordinance directed the mayor and trustees to procure a seal, according to such design as they might select, but before they acted in the matter Little Rock was incorporated as a city.

The first gas lights on the streets were installed in 1860.

The first telegraph line to Little Rock was completed in 1860. Charles P.

Bertrand was president of the company, James A. Henry, secretary, and L. C. Baker was the first operator. The line connected Little Rock and Memphis.

The first school board was organized in 1869. At that time there was but one public school building in the city. It was a frame building of only one room, on the block bounded by Fourth, State, Fifth and Gaines streets, where the Peabody School was afterward located.

The first railroad bridge over the Arkansas River at Little Rock was built in 1874.

The first wagon bridge over the river, known as the free bridge, at the foot of Main Street, was opened to traffic in 1897.

CITY PARK

The City Park, extending from Commerce to McAlmont streets on Ninth Street, and southward to a little beyond Thirteenth Street, was formerly the United States arsenal grounds. A history of the park must perforce include a history of the arsenal. Congress provided for the establishment of an arsenal at Little Rock in the spring of 1836. On the 26th of September Lieut. F. L. Jones arrived in the city to select a site. A tract of thirty-six acres (now City Park) was recommended and was purchased by the Government from Hawkins, McLain and Blodgett for $3,600. Maj. Richard B. Lee was placed in charge of the construction and in the spring of 1837 submitted the plans to Gov. J. S. Conway, who on May 24, 1837, wrote to Major Lee suggesting that the appropriation of $14,000 was too small to provide an arsenal of sufficient capacity. A few months later Major Lee advised the governor that the appropriation had been increased to $30,000 and that work would be commenced immediately.

The plan of the arsenal embraced the store-house and officers' quarters, fronting toward Ninth Street; the barracks, on the south side of a square, the east and west sides of which were to be occupied by the gun sheds, shops, etc. On May 15, 1838, Senator Fulton wrote to the Gazette that he had just received information from the ordnance department that the following arms and munitions had been ordered to Little Rock:

16 six-pounder cannon,
1,800 charges of grapeshot, etc.
8,500 muskets,
1,500 Hall's rifles,
30 barrels of rifle powder,
7,000 pounds of rifle balls,
1,000,000 musket cartridges,
8,500 infantry accouterments.
1,500 rifle accouterments.

These supplies, amounting to 100 tons, arrived on the steamboats "Elk" and "Little Rock" on June 23, 1838, and the arsenal soon afterward "went into commission." Work on the buildings went on for several years, the total cost of the arsenal being nearly $100,000. It was surrendered to the state authorities at the beginning of the Civil war. (See Rector's Administration in Chapter XIV.)

After the war it was continued as an army post until 1893, when the citizens of Little Rock acquired 1,000 acres of land on Big Rock, on the north side of the river, which was offered to the Government in exchange for the arsenal

OLD ARSENAL, LITTLE ROCK, ERECTED ABOUT 1840

grounds. The offer was accepted and the new fort was named Logan H. Roots, after Logan H. Roots, a prominent citizen of the city, who had been active in effecting the exchange. Thus the old arsenal grounds became the property of the city and was converted into a public park.

GROWTH OF THE CITY

Previous to 1840 the population of Little Rock was included in that of the township. In 1840, the first census after the town was incorporated, the population was reported separately. The growth by decades since then has been as follows:

1840	1,531
1850	2,167
1860	3,727
1870	12,380
1880	13,138
1890	25,874
1900	38,307
1910	45,941
1920	65,142

Thus the obscure village of 1820, in which speculators were quarreling over land titles, has developed into the metropolis of the state. Notwithstanding the effects of the Civil war, it will be noticed in the above table that the greatest growth in any decade was between 1860 and 1870—nearly 400 per cent. But the growth of the city has not been unattended by drawbacks. The old "Town Branch," a turbid stream running diagonally across the city, caused a great deal of trouble in early days, until the "city fathers" converted it into a sewer; and even since then frequent repairs have been necessary.

The city has suffered frequently from fires. One of the first great fires was that of February 4, 1853, which broke out in building near the corner of Main and Markham streets about 3 o'clock A. M. The post office and six buildings were burned and the Gazette gave the loss as $35,000. Such a loss would be insignificant in these days, but in 1853 it was a serious matter.

On October 2, 1894, a destructive cyclone destroyed property worth over one million dollars, including the insane asylum, a number of business houses, the courthouse, factories and residences, and four people were killed.

Despite these backsets, Little Rock kept steadily on the forward march. The city now has ten banking institutions, miles of paved streets, twenty-one modern public school buildings, a good public library, churches of all denominations, etc. In 1881 the post office building was completed, but the growth of the city has made two large additions necessary. The old city hall at 120-122 Markham Street, which contained the city offices and the headquarters of the fire department, has been outgrown and the new city hall was completed in 1908 at a cost of $250,000. It is one of the finest buildings of its kind in the Southwest. The natural location, the climate, etc., have caused Little Rock to be designated as "The City of Roses."

CHAPTER XLVIII

CITY OF FORT SMITH

MAJOR LONG SELECTS THE SITE FOR A FORT—MAJOR BRADFORD—THE NEW FORT—CAPTAIN BONNEVILLE—BEGINNING OF THE CITY—CAPT. JOHN ROGERS—EARLY RESIDENTS—INCORPORATION—THEN AND NOW—OLD COMMISSARY BUILDING—MISCELLANEOUS—POPULATION SINCE 1850.

In the fall of 1817 Maj. Stephen H. Long, who had been instructed to select a site for a military post near the border of the Indian country, reported in favor of the point of land between the Arkansas and Poteau rivers. James, in his report of the Long expedition, says: "Agreeably to the orders of General Smith, then commanding the Ninth Military Department, a plan of the proposed work was submitted to Major Bradford, at that time and since commandant at the post, under whose superintendence the works have been in part completed, not without some deviation of the original plan. The buildings now (September, 1820) form two sides of a hollow square, terminated by strong blockhouses at the opposite angles and fronting toward the river."

Major Long gave the point of land the name of Belle Point, "in allusion to its peculiar beauty." The General Smith referred to by James, for whom the post was named, was Thomas A. Smith, a native of Virginia, who entered the army in 1803 from Georgia and in the War of 1812 attained the rank of brigadier-general. On the reorganization of the army in 1815 he was commissioned colonel of the Rifle Regiment, retaining the title of brevet brigadier-general. In 1818 he resigned his commission and settled at Franklin, Missouri, having been appointed receiver of the land office at that place. In 1826 he removed to a large tract of prairie land in Saline County, Missouri, where he passed the remainder of his life. He was an intimate friend of Senator Thomas H. Benton.

Little can be learned of Maj. William Bradford, the first commandant of the post, beyond the fact that he was commissioned captain in the Seventeenth Infantry in 1812, being at that time a resident of Kentucky. Two years later he was promoted to major and transferred to the riflemen. He was commandant at Fort Smith until 1822 and the following year was a candidate for delegate to Congress from Arkansas, but was defeated by Henry W. Conway. In 1824 he resigned his commission in the army and soon afterward was appointed brigadier-general of the Arkansas militia. He died at Fort Towson on October 20, 1826, aged about fifty-five years.

The post was occupied without intermission until April, 1824, when the troops were removed to Fort Coffee, a few miles up the Arkansas River. Col. Matthew Arbuckle succeeded Major Bradford as commandant in February, 1822, and remained until the removal to Fort Coffee, though twice during that

period, while he was absent from the post, temporary commanders were in charge—Maj. A. R. Woolley from February to March, 1822, and Capt. William Davenport from January to May, 1823.

THE NEW FORT

The Choctaw treaty of 1825 fixed the western boundary of Arkansas as "beginning one hundred paces east of Fort Smith and run thence due south to the Red River." This threw Fort Smith into the Choctaw country. The post was then vacated until the latter part of March, 1833, when Capt. John Stuart arrived with Company C, Seventh Infantry, and remained there until June, 1834. It was then vacant until July 27, 1838, when Capt. B. L. E. Bonneville arrived with Company F, Seventh Infantry, and began the work of repairing the old buildings.

In the meantime the war department had issued orders for the establishment of a permanent military post within the borders of Arkansas. Three sites were offered, to wit: One at the Massard Bluff, eight miles from Fort Smith, owned by Dr. Joseph Bailey, an army surgeon; one at Lee's Creek Bluff, on the north side of the Arkansas River betwen Fort Smith and Van Buren owned by Dr. Jonathan McGee; and the third on the south side of the river, where the City of Fort Smith now stands, owned by Capt. John Rogers. Commissioners were appointed by the Government to decide upon the location. One of these commissioners was Captain Bonneville, who was a friend of Captain Rogers, and through his influence the Rogers proposition was accepted. The Gazette of May 23, 1838, said:

"Capt. John Rogers passed up last week, on his return from Washington, where, we understand from him, he effected the sale to the Government of a portion of his tract of land at Fort Smith, as a site for a permanent military post on our western frontier. He sells 296 acres, having a front of 100 yards on the south side of the Arkansas River, immediately below the Choctaw line and running back for quantity, for the sum of $15,000. * * * It is the intention of the Government, we understand, to construct strong works at this point and Capt. Charles Thomas has been selected to superintend their erection."

Captain Thomas arrived about the last of July, 1838, and began the work of construction. He brought with him some forty mechanics and a number of laborers, and engine and machinery for a steam sawmill, etc. The plan of the new fort embraced a quadrangle 450 by 600 feet, walled with stone, inside of which were the barracks, officers' quarters, magazine, etc. The stone for the fort was quarried from the bluff at Belle Point. It is said that the fort was planned by Vaubanne, the great French military engineer. Work progressed slowly and in 1842, although $120,000 had already been expended, the Arkansas Legislature sent a memorial to Congress urging the completion of the post so as to be an adequate protection to the western frontier. The memorial was presented to the senate by Senator Fulton, but Gen. Zachary Taylor, then in command of the department, opposed the appropriation of any more money, believing he could keep peace on the frontier without such an expensive fortification. As a matter of fact the fort never was completed according to the original plans, but it was occupied continuously after the fall of 1838 until finally aban-

Courtesy of W. J. Weaver

FORT SMITH AS IT LOOKED IN 1836. FIRST NAMED BELLE POINT, BY COLONEL S. H. LONG IN 1817

COMMISSARY BUILDING OF OLD FORT SMITH. ERECTED IN 1839

doned in September, 1871. In July, 1850, the greater portion of the troops at Fort Smith was ordered to a point on the Canadian River about four hundred miles west, on the road to Santa Fe and California, but Fort Smith continued to be the headquarters of the military department. During the Civil war it was occupied alternately by Federal and Confederate troops.

Many noted military men have been associated with Fort Smith. Among them were Generals Samuel Houston, Zachary Taylor, Edmund Gaines, Braxton Bragg, W. S. Hancock, Joseph E. Johnston, W. S. Harney, George B. McClellan and U. S. Grant. Louis Catlin, the artist, Washington Irving, who wrote the adventures of Captain Bonneville, and Sequoia, the inventor of the Cherokee alphabet, were visitors to the fort at different times. In 1871 the "reservation" was transferred from the war to the interior department, and by act of Congress, approved by President Arthur on May 13, 1884, it was donated to the City of Fort Smith "for the use and benefit of the free public schools of the single school district of Fort Smith." Of the fund received from the sale of the "reservation," the sum of $100,000 was expended in the erection of buildings and $159,000 placed in a permanent fund, the income from which is used for the payment of teachers' salaries.

CAPTAIN BONNEVILLE

Capt. Benjamin L. E. Bonneville, who has been mentioned as one of the commissioners who selected the site of Fort Smith, was born in France in 1796. His father was a printer and during the American Revolution he published and circulated a number of pamphlets that awakened sympathy for the American colonists in their struggle for independence, a sympathy which brought Lafayette and his French soldiers to America to aid the Continental army. Mr. Bonneville was also a member of the Republican Club organized in Paris by Thomas Paine. After the French Revolution he printed something against Napoleon, which led to his being thrown into prison. Thomas Paine then brought his wife and son (the future commandant of Fort Smith) to America. After a time the husband and father was released from prison, but was forbidden to leave France. He eluded the vigilance of the authorities, however, and joined his family in the United States.

Benjamin graduated at the West Point Military Academy in the class of 1819 and was commissioned a lieutenant. When Lafayette visited this country in 1824, he inquired after the Bonnevilles and the young lieutenant was assigned to his escort. He went to France with Lafayette for a visit and upon his return was commissioned captain in the Seventh Infantry. Meantime he had been reading books about the Great West and in 1821 obtained a leave of absence to visit the Rocky Mountain country. He was instructed by Gen. Alexander Macomb to take such scientific instruments as might be necessary, make maps of the region and report the number of Indians in each tribe, their condition, etc. It was Bonneville's intention to engage in the fur trade, but Macomb's instructions turned him into an explorer. On May 1, 1832, he left Fort Osage (on the Missouri River about ten miles below Kansas City) with 110 men and 20 wagons. These wagons were the first to go through the South Pass, in what is now the State of Wyoming.

Bonneville's leave of absence expired in October, 1833, but he was so

deeply interested in the western country that he did not return to Washington until in 1835, having spent three years in Wyoming, Idaho and Utah. When he reported to General Macomb, that officer informed him that he was supposed to be dead and that his name had been dropped from the rolls of the army. He appealed to President Jackson, who ordered him to be reinstated. While rewriting his report he met Washington Irving, to whom he gave his manuscript, with instructions to "do what you please with it," and it was this unfinished report which formed the basis of Irving's "Adventures of Captain Bonneville." He was three times commandant at Fort Smith—from July 27 to October 24, 1838; from August 30 to December 21, 1845; and from January 15 to July 13, 1846. In February 1855, he was made colonel of the Third Infantry and served at various posts in the West until the breaking out of the Civil war. On September 1, 1861, he left the regular army, entered the volunteers service and was on the staff of Gen. Grenville M. Dodge until the close of the war.

On November 30, 1871, General Bonneville married Miss Sue Neis, daughter of Anton and Catherine (Sengel) Neis, of Fort Smith, and took up his residence in that city. He died at Fort Smith on June 2, 1878.

BEGINNING OF THE CITY

In the fall of 1837 Capt. John Rogers advertised in the Arkansas, New Orleans, New York, Philadelphia, Louisville, Nashville and Cincinnati newspapers that it was his intention to lay off 160 acres of his land at Fort Smith into town lots, and that the first sale of the lots would take place on "the first Monday in May next." He also invited all to make selections before the auction sale, and where improvements were made the lots would not be offered at auction, but would be sold to the occupant for the same price as the adjacent lots sold for on the day of sale.

For some time before this advertisement appeared, Captain Rogers had advertised in the Arkansas Gazette that he had a large warehouse at Fort Smith, and that he was prepared to transact all kinds of "storage, forwarding and commission business." As Captain Rogers was the founder of the city, he is entitled to more than passing notice. The writer has been unable to learn anything of the early life of this worthy pioneer. During the War of 1812 he held a captain's commission in the Seventh Infantry and in 1815 accompanied his regiment to the western frontier. Being struck by the beauty and advantages of the site of Fort Smith, he acquired a large tract of land there, part of which he sold to the Government, as already stated. In the Gazette of September 2, 1829, the following advertisement appeared:

TO YOUNG MEN OF ENTERPRISE

"The undersigned will start on the 15th of September next from Fort Smith on a trapping expedition to the Rocky Mountains. He wishes to raise about one hundred men for the trip, to be absent two years. The company will choose their own officers and be subject to such regulations for their government as may be adopted by them. The Articles of Association are already drawn up and signed by a number of persons. The outfit will be furnished by me (with the exception of the horses and guns) to such as may desire it. It is confidently

GEN. B. L. E. BONNEVILLE
Commandant at Fort Smith

MAJOR ELIAS RECTOR
"The fine Arkansas Gentleman" of
General Pike's Poem

OLD FORT, FORT SMITH, ERECTED IN 1840

believed that this enterprise affords a prospect of great profit to all who may engage in it.

"JOHN ROGERS."

Captain Rogers was the first sutler at the old fort on Belle Point, and was one of the early postmasters at Fort Smith. It is not certain that he accompanied the trapping expedition to the Rocky Mountains, but he furnished the outfit and received his share of the profits. Benjamin T. Duval, in an address at the semicentennial celebration at Fort Smith in 1886, said that Captain Rogers "got very rich." He lived to be nearly eighty years old.

Another Fort Smith pioneer was Jerry R. Kannady, who was born in Beaver County, Pennsylvania, February 11, 1817. While he was still an infant his parents removed to Hebron, Ohio, where he received a common school education. Early in the year 1836 he came to Fort Smith and found employment in the store and warehouse of his uncle, Capt. John Rogers, until he engaged in merchandising for himself. On May 19, 1847, he married Miss Sophia Borling, who was born at Fort Gibson in 1826, her father being an officer in the United States army. In 1863 Mr. Kannady took his family and slaves to Texas and during the latter part of the war was in the employ of the Confederate Government, erecting public buildings, barracks, etc. He returned to Fort Smith in 1865 and died there in 1883. His widow survived him for a number of years and had in her possession an oil painting of Fort Smith as a garrison, said to be the only one in existence.

Dr. Joseph Bailey came with the troops to the old fort on Belle Point as a surgeon. He afterward acquired considerable property in and around Fort Smith and was for many years identified with the community. His son also became a physician and practiced in Fort Smith.

Willard Ayers, born in Vermont in 1814, came to Fort Smith with Captain Thomas as a stonemason to work on the fort. After the fort was ready for occupancy he located at Fort Smith, where he followed his trade for many years. He married Miss Caroline Forester, of Crawford County, and some of his descendants are still living.

William J. Weaver was born in Philadelphia, Pennsylvania, in 1818. He first came to Fort Smith as a clerk on the steamboat "Trident" while the fort was under construction. Leaving the "Trident" he carried the hod for about two months for thirty dollars a month and soldiers' rations. Later he conducted the first ferry across the Arkansas River at Fort Smith. In October, 1848, he married Miss Catherine Minnemier, a native of Prussia. To this marriage were born three sons—John F., Charles and James. Mr. Weaver wrote many interesting reminiscences concerning early days at Fort Smith. His eldest son, John F., was born at Fort Smith on September 11, 1849; was reared to manhood on a farm in Illinois, where he received a common school education. He then went to Salem, Ohio, where he learned the printer's trade and in 1871 returned to Fort Smith to become a compositor on the New Era. In 1880 he became manager of the Southwest Independent and later was identified with other Fort Smith newspapers. He has served in both house and senate of the Arkansas Legislature.

Benjamin Moore came from Virginia in 1821. He introduced cotton growing in that section of the state, had the first tobacco plantation in Arkansas, and operated the first grist mill between Little Rock and Fort Smith. One of

his daughers married Judge James Woodson Bates, who held the first court in Fort Smith, and another married John Dillard, a lawyer who came from Virginia in 1822.

Other early settlers were: Curry Barnett, Dr. Albert Dunlap, William Duval, Robert Gibson, Clark Landers, James McDavid, Matthew Moss, Robert Sinclair, William Stagner, William Tichenal and Dr. David D. Williams.

INCORPORATION

Fort Smith was incorporated as a town by the act of December 24, 1842. Smith Elkins was the first president of the board of trustees. During the Civil war the municipal records were lost or destroyed, hence the early corporate history cannot be learned. The growth of the town was slow for several years. A resident of the town, signing the initial "M," wrote to the Arkansas Banner under date of May 22, 1845, as follows:

"One disadvantage, and the one of which we have most cause to complain —as that which seems to have placed us, as a town, in a false attitude before the people abroad—is the misfortune to have been named after the fort at this point. This has created the impression that we are only a military post. In our neighboring town, Van Buren only four miles off, there are two newspapers, while we have none; yet we have nearly or quite as many inhabitants as Van Buren."

The writer evidently had not learned that the average editor was interested in "boosting" his own town, as he complains that the Van Buren newspapers never had anything to say of Fort Smith, although the merchants of that town advertised in them. He calls attention to the fact that Fort Smith has some fifteen stores "with heavy stocks of goods, which are sold on terms to suit the times. In fact there is not a place in all Arkansas where goods can be purchased on better terms than here—at the head of navigation on the Arkansas River."

Although steamboats ascended the Arkansas as far as Fort Gibson, the navigation of the river above Fort Smith was somewhat precarious and attended by many difficulties. This contributed to make Fort Smith an important outfitting point for emigrant parties bound for the far West, which accounts for the large number of mercantile establishments when the population was only about five hundred. After the discovery of gold in California the tide of emigration increased and Fort Smith's growth was more rapid. On March 9, 1867, it was reincorporated as a city of the second class and the boundaries extended to include several additions. It was raised to a city of the first class by the act of March 21, 1885.

THEN AND NOW

When Major Bradford came to Belle Point in 1817, he improvised a ferryboat of a large wagon bed, the joints in which were made water tight with strips of rawhide and canvas. Canoes were then constructed from large cottonwood trees. After the arrival of Colonel Arbuckle in the spring of 1822, he obtained lumber and built two flatboats. Shortly after the completion of the stone fort, William J. Weaver procured a license and established a regular ferry.

The first roads were those connecting Fort Smith with other frontier military

posts. Fort Towson was established in 1824 and the road to that point was surveyed by Lieutenant Bonneville. About the same time roads were opened to Fort Gibson and Fort Washita. The Little Rock and Fort Smith military road was opened about 1828. In the fall of 1858 the first Butterfield (or Overland) stage arrived at Fort Smith. This line connected with the Overland Route at Tipton, Missouri. The El Paso stage line was opened a few years after the Civil war between Fort Smith and Neosho, Missouri. It followed the old "wire" road, so-called because along it ran the first telegraph line between Fort Smith and St. Louis, established in 1860. Early transportation was therefore by steamboat on the Arkansas River and by freight wagons over the military roads, while the stage lines offered the first land transportation for passengers and light baggage.

In 1876 the railroad was completed between Little Rock and Fort Smith; the St. Louis & San Francisco was completed to Fort Smith in 1883 and for two years its trains crossed the river on a transfer boat; the Kansas City Southern was built a little later and Fort Smith became a railroad center, no longer dependent upon the stage of water in the Arkansas River and the Overland and El Paso coaches. The completion of the free bridge over the Arkansas a few years ago opened the country north of the river to Fort Smith trade. Weaver's Ferry is now only a memory. In 1921 work was commenced upon a reinforced concrete bridge, which, when completed, will be the finest bridge in the state.

OLD COMMISSARY BUILDING

The only one of the old fort buildings now standing is that known as the "commissary building," which was erected by the Government in 1840 as a supply depot for Fort Smith, Fort Gibson, Fort Washita and Fort Arbuckle. The other buildings were burned during the Civil war. Afterward Judge Parker occupied it as a residence when houses were scarce in the city. It was also used for years as the court room and offices of the Federal District Court, prisoners being confined in the basement. The north wall of the old stone structure is covered with Virginia Creeper, planted many years ago.

In 1897 Congress authorized the old stone wall forming the fortification to be torn down and a little later the commissary building was purchased by the city. In the early years of the present century, the Women's Civic League started a movement to preserve the building as a historic relic. Later the local Historical Association joined in the work and the city council was petitioned to give the building to the clubs of the city, to be held in trust as municipal property. Nothing could be done legally until the representatives of the clubs were incorporated. A board of trustees, representing all the local associations of women, was formed and incorporated, and on December 28, 1910, the lease was signed by Mayor W. J. Johnston. Since then the women have done a great deal of work looking to the preservation of the building and the improvement of the grounds.

MISCELLANEOUS

The first newspaper in Fort Smith was the Herald, which was established by John F. Wheeler in June, 1847. For other newspapers see Chapter XXXII.

The United States Signal Service station was established in June, 1882, and the first Chamber of Commerce was organized a year or two later.

The National Cemetery includes the original burial place of the old fort on Belle Point. It is beautifully located upon an eminence overlooking the Poteau River, is surrounded by a substantial brick wall and has a house for the accommodation of the officer in charge. During the Civil war both Federal and Confederate soldiers were buried here. Some years after the war the United States war department gave the United Confederate veterans permission to erect monuments over the graves of General McIntosh, who was killed at the battle of Pea Ridge, and General Steen, who was killed at Prairie Grove.

Fort Smith was the first city in Arkansas to receive the benefits of natural gas, the first supply coming from a well drilled on the Massard Prairie south of the city in 1901. Other wells quickly followed and Fort Smith became a manufacturing center by being able to offer the inducement of cheap fuel. The result is seen in an increase of nearly 107 per cent in population between 1900 and 1910.

The school system of Fort Smith is one of the best in the state. Reference has been made to the large permanent fund growing out of the old fort reservation. Added to this the people have been generous in taxing themselves for the support of the schools. The system includes two high schools and ten graded schools for white children, one high school and two graded schools for colored pupils.

From a frontier army post established in 1817, Fort Smith has grown to be the second city of Arkansas. It has a number of substantial banking institutions, well paved streets, a modern system of waterworks, electric light, handsome residences, up-to-date mercantile concerns, a public library, churches, lodges and clubs usually found in cities of its size, and an intelligent progressive population.

Among the manufactured articles turned out in Fort Smith are: automobile bodies and tops, brass and iron beds, brick, brooms, candy, canned goods, cigars, caskets and coffins, fertilizer, furniture, glass (five large factories), handles, iron and steel products, lumber, three smelting works, tile, overalls, wagons and a number of minor articles. The city claims the largest sorghum mill in the world.

POPULATION

As previously stated, Fort Smith was incorporated in 1842. Before that time no separate return of population was made in the United States census reports. Since the incorporation the growth in the number of inhabitants has been as follows:

1850	964
1860	1,532
1870	2,227
1880	3,099
1890	11,311
1900	11,587
1910	28,975
1920	28,870

CHAPTER XLIX

CITY OF HOT SPRINGS

LOCATION AND SURROUNDINGS—DE SOTO—SETTLEMENT—PROMINENT PIONEERS—FIRST BATH HOUSES—AN ENGLISHMAN'S DESCRIPTION IN 1834—ADJUSTING LAND TITLES—INCORPORATION—POPULATION SINCE 1860—THE RACING BILL—THE RESERVATION.

Hot Springs, the county seat of Garland County, is probably the most widely known city of Arkansas. This is due to the medicinal properties of the hot water of the springs, from which the city derives its name. Thousands of persons, especially those afflicted with rheumatism and blood disorders, visit the springs every year in quest of health. The city is situated fifty-five miles (by rail) southwest of Little Rock, in a romantic setting among the mountains of the Ouachita.

It is quite certain that the healing powers of the hot springs were known to the Indians for many years before the place became known to the white man. Commentators are generally agreed that the first white men to visit the springs were the Spaniards of the De Soto expedition, about the middle of the sixteenth century. In the chapter on "French and Spanish Land Grants," it is shown that the Spanish authorities of Louisiana recognized the value of the springs, which were included in a grant to Jean Filhiol, but the title proved to be defective.

SETTLEMENT

In 1807 Manuel Prudhomme built a cabin at the springs and he has been given the credit of being the first actual settler. Later in the same year Isaac Cates and John Perciful (also written Purcival) established a camp near Prudhomme's cabin and followed hunting and trapping. The following year Perciful located about seven miles from the springs and raised a small crop of corn—the first in that section of the state. In 1809 he bought Prudhomme's claim and improvements and the latter left the country.

Thwaites, in his "Early Western Travels," says: "Summer parties of wealthy planters began to frequent the region early in the nineteenth century, and to such visits were doubtless due the well marked roads from Natchitoches. On Darby's map of 1816 the 'Trace from Natchitoches to Hot Springs' is well defined."

The first of these visitors, of which anything definite can be ascertained, were two families from New Orleans who came in 1809. They built temporary dwellings, which they occupied during their stay and upon their departure gave them to Perciful, who had hunted to supply them with game. It has been stated

that these New Orleans people took a preemption right to a tract of land including the springs and valley, but if so the right was never recognized by the Government.

Perciful found a source of income in the "shacks" that had been presented to him, by renting them to later visitors. In this way he became a sort of landed proprietor, though he had no legal title to any of his holdings. Among the visitors of 1812 was a young woman whom Perciful afterward married. His connection with the springs seems to have ceased after his marriage, as he removed to his farm and died there in 1836. After his death his widow kept a hotel or boarding house at the springs for a year or two.

In 1814 there were about twenty-five cabins in the valley, but five years later there were not more than half a dozen in habitable condition. Joseph Millard came in 1820 and built a double log house, in which he opened a hotel. He evidently found the venture unprofitable, for a few years later he sold his claim and improvements to Alexander C. Rogers and disappeared. Rogers also abandoned the place, for when Ludovicus Belding came in 1828 he found the valley entirely unoccupied. Belding was a native of Massachusetts. He brought with him his wife and three children, took possession of one of Perciful's "cottages," built a larger house and opened a hotel. The Gazette of July 9, 1828, said:

"Hitherto the visitors who annually frequent the Hot Springs on the Washita, in search of health or pleasure, during the summer months, have found it so difficult to find comfortable entertainment that great numbers who feel a strong inclination to pass a few weeks there have been deterred from going. That objection, we feel much satisfaction in saying, is now happily removed; and persons disposed to visit the Springs can now be certain of finding as good fare and comfortable accommodations there (to a limited extent) as at any public house in the territory. This is owing to the industry and enterprise of Mr. L. Belding, who has located himself there for the purpose of keeping a public house. A highly respectable friend, who recently passed several days at the Springs, speaks in the following complimentary language of the comfortable reception he met with at Mr. Belding's: 'Good fare, clean linen, silver forks and spoons, much attention to guests and moderate charges entitle Mr. Belding to encouragement.'"

Mr. Belding continued to live at the Springs for several years. His son, George Belding, was born there on August 14, 1832, and was probably the first white child born in the valley. About the time of his birth the family removed to a farm on the Ouachita River, where Mr. Belding died on August 16, 1833. His heirs subsequently laid claim to a tract of land at the Springs and after considerable delay the claim was allowed. A grandson, George R. Belding, was elected mayor of the city in 1899 and was one of the Arkansas commissioners of the Louisiana Purchase Exposition in 1904.

By 1829 the curative properties of the waters had become more widely known and the number of visitors began to increase. A letter written in August, 1828, dated at the "Hot Springs of the Washita," says: "Until this season every one who came here was obliged to provide for himself shelter and provisions as he could. This year a boarding house has been established by a family from Boston and the accommodations are quite comfortable. I do not doubt that

FIRST BATH HOUSE, HOT SPRINGS, BUILT 1854

this will be kept up—boarding for man and horse is one dollar per day. There is abundance of the necessaries of life—venison, beef, poultry, eggs, etc. There are very few persons here. I do not doubt but that some day these springs will be the Saratoga of Louisiana."

The family from Boston referred to by the writer was the Belding family, already mentioned. The writer's prediction that the springs would become the Saratoga of Louisiana has been realized, though not for a number of years after it was made in 1828.

FIRST BATH HOUSES

In 1830 Asa Thompson leased the springs and put up the first bath houses for the accommodation of visitors. They were evidently very primitive affairs, as a writer in the "Province and the States" (vol. vii, p. 60) says: "In 1832 the bathing facilities were as follows: Directly in front of the site of the present Arlington House, and below one of the hot springs, there was a cavity cut into the rock, into which the water flowed. This was used as a bathing pool and had no covering except the bushes with which it was surrounded. The only vapor bath facility was a niche cut into the rock at the base of the mountain where the Big Iron bath house was afterward built. The hot water was conveyed into a pool under an open floor, over which was a rude seat for the bather to sit upon; the niche was covered overhead with rocks and boards and in front with a blanket. About fifty feet south of this there was a log bath house with one plank tub in it, and a hundred yards still farther south, at the foot of the mountain, was placed another log bath house, with a single wooden tub."

During the year the population was increased by the arrival of the Physic brothers and Hiram A. Whittington. Philip Physic opened a little store, but it seems that he did not remain long. Hiram A. Whittington was born in Boston, January 14, 1805. He learned the printer's trade, came to Arkansas in December, 1826, and worked on the "Gazette" at Little Rock until June, 1832. He then went to Hot Springs for his health, and in order to make expenses while there started a little store with a capital of $500. In 1836 he married Miss M. E. Bigham and opened a hotel. In 1842 he sold his store and continued in the hotel business until 1849, when he removed to Montgomery County. He was elected representative from that county to the Legislature in 1850, but soon after that returned to Hot Springs.

Mr. Whittington was the first to discover the merits of the Ouachita oil stone. In 1853 he established a whetstone factory there and began shipping his product to the principal cities. They found favor with mechanics and are used by all who handle edgetools. This business was carried on for several years after his death by his son, Alfred Whittington. Father and son kept a file of the Gazette and other newspapers published by William E. Woodruff. These volumes are now in the archives of the Arkansas History Commission and constitute the most complete collection of newspapers in the state.

Featherstonhaugh, the English traveler and geologist, visited the Springs in December, 1834, and describes the accommodations as follows: "Four wretched looking cabins, in one of which was a small store, contained all the accommodations that these springs offered to travelers. We had never seen anything worse

or more unpromising than they were, but driving up to the store, a Mr. Whi tington, who purchases bear skins and other skins of wild animals of the hunters paying for them in the commodities he gets from Little Rock, was obliging enough to say we might take possession of one of the log cabins. Having taken care of our horse, we accordingly moved into the first that we had passed on our arrival. It had a roof to it, as well as a little portico, as a defense against the rays of the sun, but this was literally all that it had, for not an article of furniture was there either in the shape of table or chair. The floor was formed of boards roughly and unevenly hewn, and, unfortunately, some of them were wanting.

"Being 'reckoned,' however, the best lodgings in the place, we made the best of it and through our new friend got skins, blankets and other appliances to serve as bedding. We next laid in some firewood and constructed a kind of table, so that when we had succeeded in borrowing two old chairs, we looked with some satisfaction upon our new attempt at housekeeping. * * * How invalids contrive to be comfortable, who come to this ragged place, I cannot imagine, yet I understand that ten or a dozen people are often crammed into this room, which my son and myself found much too small for two."

On March 20, 1835, Samuel W. Reyburn and James S. Conway advertised that they had leased the Springs, "where they expect to keep a house of entertainment. Mr. Reyburn will have immediate charge of the establishment. They will keep a well furnished bar and are supplied with an abundance of horse-feed. The bathing houses have been well fitted up and some new ones erected."

Samuel W. Reyburn, manager of the new hotel, came from Missouri about 1829 and a little later settled at Hot Springs. He was a member of the Lower House in the first State Legislature; was elected to the State Senate in 1842 and again in 1846, and was otherwise identified with public affairs. About the first of June, 1854, he started for Louisville, accompanied by his son, to consult a noted physician concerning an ailment of long standing. They took passage on the steamer Forest Rose and on June 7th Mr. Reyburn died on board. His body was brought to Little Rock and interred in Mount Holly Cemetery.

ADJUSTING LAND TITLES

About the time Conway and Reyburn became the lessees, the question of title to the land in the valley, including the springs, began to be discussed. The Gazette of April 28, 1835, in an article on Hot Springs, gave as one of the reasons why the town did not grow that "the preemption rights to the Hot Springs are in dispute and unsettled." The Philadelphia Daily Advertiser of May 18, 1835, said: "The springs alluded to have been known almost as long as the Arkansas River and have been a place of great resort, particularly from the South, for many years past. All that is necessary to make them a place of fashionable resort—as they have heretofore been for health—is the want of those extensive and permanent edifices which are usually looked for by visitors at such places. Such buildings cannot be expected until the title to the land on which they (the springs) are situate shall be settled," etc.

At that time, and for several years afterward, there were three claimants. In 1820 Elias Rector, father of Governor Henry M. Rector, bought a New Madrid

CENTRAL AVENUE, HOT SPRINGS,
ABOUT 1865, LOOKING SOUTH

EARL HOUSE, HOT SPRINGS, ABOUT 1865

certificate from Francois Langlois and located on a tract including the springs. Application for the entry of this tract was made as early as January 27, 1819. The following year it was surveyed by James S. Conway and application was made to the general land office for a patent. The commissioner withheld a patent on the ground that the Indian title had not then been extinguished. A little later William Wirt, attorney-general of the United States, rendered an opinion that the New Madrid certificates could not be located upon lands south of the Arkansas River. In 1843 Henry M. Rector settled in Hot Springs and began an effort to have the claim upheld by the Government and a patent issued. Many of the best lawyers in the country believed his claim was valid, but the Supreme Court of the United States upheld the opinion of the attorney-general.

The second claim was that of the Belding heirs, who claimed title upon the settlement at the Springs in 1828 of Ludovicus Belding. In 1851 Maj. William H. Gaines, who had been a large planter in Chicot County, married Maria Belding, one of the heirs, and assumed the management of their claim.

The third claim was based upon the settlement and occupation by John Perciful. After Perciful's death in 1836 John C. Hale purchased from his widow, Sarah, and his son, David, their claim and located at the Springs in 1840. He built a new hotel and a frame bath house, and to him is due the credit for making the first improvements of a permanent character.

In 1852 the three claimants began litigation to determine which was entitled to the property. They found themselves handicapped at the start by an act of Congress (in 1832) which had set apart four sections of land, including the springs, as exempt from private ownership "by purchase, settlement or pre-emption." After years of litigation the United States Supreme Court decided adversely to all three of the claimants. In 1877 Congress authorized the appointment of commissioners to settle the rights of possession. By this time the valley contained some four thousand inhabitants. The commissioners placed valuations upon the various parcels of land and decided who were entitled to purchase the same. In this way the Belding and Hale claimants were enabled to purchase at least a portion of the land claimed, but the Rector claim was barred under the ruling of the attorney-general. The commissioners also laid out the city and caused the Hot Springs Reservation to be surveyed. It embraces the south half of sections 28 and 29, all of sections 32 and 33, township 2 south, range 19 west, and the north half of sections 4 and 5, township 3 south, range 19 west. The survey was approved by an act of Congress on March 3, 1877, making this reservation the second national park in the United States, the Yellowstone National Park having been established by the act of March 1, 1872.

INCORPORATION

Hot Springs was incorporated as a town some time between 1850 and 1860, as it appears as a separate municipality in the United States census reports for the first time in 1860, with a population of 201. During the Civil war most of the inhabitants went to Texas, Lawson Runyon, Mrs. William Chase and Anson Sabin being the only white persons who remained. Sabin was killed but the others were unmolested. After the war the former inhabitants came back and began the work of rebuilding the town. Jacob Kempner, George Belding and

M. C. O'Brien were the first merchants after the war and John C. Hale erected the first bath house. Atkins & Stidham opened a hotel and ex-Gov. Henry M. Rector established a hotel and bath house where the Arlington now stands.

Notwithstanding the fact that the title to the land was still unsettled, the population increased slowly and every year saw a larger number of visitors from all parts of the country. In 1874 Joseph Reynolds completed the railroad from the Springs to Malvern, where it connected with the St. Louis, Iron Mountain & Southern. This road, called the "Diamond Joe," brought the resort within easy access and the Town of Hot Springs experienced its first boom. On April 5, 1876, it was reincorporated and subsequently was raised to a city of the first class under the general law.

Among those who located at Hot Springs after the war and before the incorporation of 1876, was Samuel H. Stitt, a native of Dorsetshire, England, who came to Arkansas in 1867 and three years later settled at Hot Springs. There he became a partner of Maj. William H. Gaines, who had just opened the Hot Springs Hotel. In June, 1875, he married Miss Augusta Gaines, daughter of his partner, and the same year erected the Arlington Hotel, incorporating into the building a portion of the old Rector House, which occupied the site. He rebuilt the Arlington in 1893 and made it the first of the modern hotels at this famous resort.

The commissioners appointed by President Hayes to investigate the title question were Aaron H. Cragin, of New Hampshire; John Coburn, of Indiana, and M. L. Stearns, of Florida. In addition to adjusting titles, they laid out a city, with Central Avenue as the main thoroughfare. On the north side of this avenue is the reservation and "Bath House Row." The south side is occupied by hotels and business houses. Several additions have been made to the original plat.

POPULATION

According to the United States census reports, the growth of Hot Springs since the first incorporation of the town has been as follows:

1860	201
1870	1,276
1880	3,554
1890	8,086
1900	9,973
1910	14,434
1920	11,695

The remarkable increase between the years 1860 and 1870 was due chiefly to the return of those who left the valley during the war and upon their return located in the town. The increase during this period was nearly 535 per cent. Next to this decade, the greatest proportionate increase was between 1870 and 1880, over 178 per cent. This was due to the building of the railroad and the adjustment of land titles, which enabled the citizens to feel more security in the matter of making improvements. Only once in the history of the city has there

been a decrease in population during a census decade. That was between 1910 and 1920 and is owing to the passage and veto of what was known as the "racing bill" by the Legislature of 1915.

Hot Springs, in common with all health and pleasure resorts, attracted a large contingent of what is known as the "sporting element." Such persons usually have money to spend and are liberal in spending it. The bill above referred to was introduced by Speaker L. E. Sawyer, of Hot Springs, and it was claimed by its opponents that it legalized gambling on horse races. It passed both houses and was vetoed by Governor Hays on March 8, 1915. Friends of the measure claimed that the bill had been in the hands of the governor for more than five days before the veto was made, and that it became a law through the time limit provided for in sections 15, article VI, of the state constitution. Newspapers all over the state discussed the matter pro and con. The Camden Beacon of March 13th said: "It is unfortunate Governor Hays did not take a firm stand either for or against the Hot Springs racing bill and thus absolve himself from the charge of being weak and vacillating. In his published statement he shows clearly that he hesitated in vetoing the bill, on account of personal obligations to those who favored the act."

The Fort Smith Herald of April 22, 1915, said: "In the attempt to have the courts validate the so-called Sawyer gambling bill—permitting gambling on horse races—no effort was spared to besmirch Gov. George W. Hays. Men testified that the governor had led them to believe that he favored the bill and would sign it when it reached the executive desk. * * * In the light of the desperate means sought to compel the legalizing of this measure, the Herald would like to know what was really behind the Sawyer bill. Is it possible that it was a determined effort on the part of notorious gamblers to force upon the people of Arkansas legalized gambling, in spite of their emphatic instructions to the lawmakers to keep this state free from professional gambling?"

Without going into further details regarding this bill, it is sufficient to say that in time the governor's veto was sustained and horse racing, or at least betting on horse racing, was prohibited. This had the effect of driving many away from the city, as had been predicted by friends of the Sawyer bill, but the substantial, law-abiding citizens—those upon whom any city must depend for its permanent prosperity—remained to labor along more conservative lines for the municipal welfare.

THE RESERVATION

Soon after the reservation was surveyed in 1877, the Government commenced the work of improving and beautifying the park. Driveways and footpaths were laid out; an ornamental entrance was constructed; steps have been placed at various points to assist visitors to ascend places that would otherwise be difficult; artificial lakes have been formed; drinking fountains erected, and last but not least the Army and Navy Hospital has been built for the treatment of soldiers and sailors suffering from maladies that cannot be well treated in the ordinary hospitals.

On June 12, 1917, Congress appropriated $10,000 for plans for a comprehensive improvement of the park. Mann & Stern, Little Rock architects, were

commissioned by the interior department to draw the plans, which were to be of a tentative character, involving the expenditure of $1,500,000. The plans were completed in February, 1918, but the heavy drains upon the public finances owing to the war, have prevented any further action. During the fiscal year ending on June 30, 1921, Rocky Mountain National Park in Colorado reported 273,737 visitors, and Hot Springs stood second, with 130,968.

CHAPTER L

ARKANSAS CITIES

ARKADELPHIA—BATESVILLE—BRINKLEY—CAMDEN—CONWAY—CORNING—DE QUEEN—EL DORADO—EUREKA SPRINGS—FAYETTEVILLE—FORDYCE—HACKETT—HELENA—HOPE—JONESBORO—MAGNOLIA—MARIANNA—MORRILLTON—NORTH LITTLE ROCK—PARAGOULD—PINE BLUFF—RECTOR—RUSSELLVILLE—STUTTGART—TEXARKANA—VAN BUREN—WYNNE—EARLY SETTLEMENT OF EACH—INCORPORATION—INDUSTRIES—TRANSPORTATION, ETC.

According to the United States census of 1920 there were then twenty-seven incorporated cities in Arkansas, in addition to Fort Smith, Hot Springs and Little Rock, already described. These cities were Arkadelphia, Batesville, Brinkley, Camden, Conway, Corning, De Queen, El Dorado, Eureka Springs, Fayetteville, Fordyce, Hackett, Helena, Hope, Jonesboro, Magnolia, Marianna, Morrillton, North Little Rock, Paragould, Pine Bluff, Rector, Russellville, Stuttgart, Texarkana, Van Buren and Wynne.

To undertake a detailed history of each of these twenty-seven cities would require a good-sized volume. In the following brief sketches the aim of the writer has been to give such facts relating to the early history of each city—where such facts could be obtained from reliable sources—and particularly to note the commercial, educational and industrial development, the city's importance as a business center, and its influence upon the general progress of the state.

ARKADELPHIA

This city, the county seat of Clark County, is located in the eastern part of the county on the Ouachita River and the main line of the Missouri Pacific Railroad between Little Rock and Texarkana. It was first known as the "Hemphill Settlement" and in 1809 was one of the only two white settlements within the present limits of the county. The settlement was strung out for two or three miles along the Ouachita River and was known as Blakeleytown, or Blakeley's Bluff, after Adam Blakeley, one of the pioneers, who opened a blacksmith shop there some ten years before the county was organized. John Hemphill came in 1811 from South Carolina. He established a salt works and became one of the leading citizens, hence the name "Hemphill Settlement." Mr. Hemphill's remains were the first to be interred in the Arkadelphia Cemetery.

John S. T. Callaway was the first merchant and Truxton Lowell was the second. Harris Flanagin, who located there in 1839, was the first lawyer. Doctors Kirby, McCollum and Peake were the early physicians. Among the early industries were John Hemphill's salt works, Nazareth Mooney's tanyard,

which was established in 1830, Bean & O'Baugh's brickyard, started about the same time, and Adam Blakeley's blacksmith shop, already mentioned. The Sentinel, the first newspaper, was started by J. L. Pignes in 1850, and the same year Richard Chichester began running a stage line between Arkadelphia and Little Rock.

In 1839 the town was regularly laid out by A. G. Johnston and M. Moore. Three years later it was made the seat of justice of the county. The name of Arkadelphia was then adopted upon the suggestion of James Trigg. The first session of the county court was held there on January 9, 1843. Arkadelphia was incorporated as a city on January 6, 1857. Its population in 1920 was 3,311, an increase of 566 during the preceding ten years. It has three banks, one of the largest flour mills in the state, five lumber mills, an ice and cold storage plant, a modern system of waterworks, an electric light plant, a cotton seed oil mill, a brick factory, mercantile establishments handling all lines of goods, a number of minor business enterprises, good streets and sidewalks, and many cozy homes.

Religion and education have not been neglected. Several denominations have handsome church buildings; Ouachita College, maintained by the Baptist Church, and Henderson-Brown College, a Methodist institution, provide ample facilities for higher education; the public school system is modern in every respect; there are two monthly college publications, one daily and two weekly newspapers, and a public library has recently been established.

BATESVILLE

In 1810 James Trimble, John L. Austin, Henderson and Lorenzo D. Lafferty came overland from Kentucky and founded a settlement at the mouth of Polk Bayou. The following spring John Trimble, father of James, accompanied by several others, came from Kentucky and joined the settlement. Between that time and 1822 Robert Bean, James Woodson Bates, Samuel Miller, grandfather of Governor William R. Miller, John Ringgold, Charles F. M. Noland, Richard Searcy and several others located there.

The place was first known as Napoleon, then Poke Creek. In 1821 the county seat of Independence County was located here, the town was regularly laid out in March, 1822, and in 1824 the name was changed to Batesville, in honor of James Woodson Bates, the first delegate in Congress from Arkansas Territory. The first term of the Circuit Court was held at Batesville in January, 1822, Judge Richard Searcy, presiding. A postoffice was established in 1822, with Nathan Cook as the first postmaster. The first school was taught in 1833 and three years later Batesville Academy—the first in Arkansas—was incorporated. The town was incorporated on January 5, 1841, but this act of the county court was dissolved in January, 1845. By an act of the Legislature, approved on December 20, 1848, Batesville was again incorporated, and on December 24, 1892, it was raised to a city of the second class.

In 1820 the Government road from St. Louis to Texas was opened through Batesville and for several years after that it was considered the best and most prosperous town in Arkansas. The first transportation was by keelboat up the White River. On January 3, 1831, Capt. Philip Pennywit brought his steamboat,

the "Waverly," up to Batesville, and for sometime after that the White River was regularly navigated by steamboats of light draft. The St. Louis, Iron Mountain & Southern Railroad was completed to Batesville in 1882. Government Dam No. 1, for the improvement of White River navigation, at Batesville, was completed in 1900 at a cost of $160,000. It was practically destroyed by a flood and was rebuilt at an expense of $150,000.

The telephone exchange was established in 1888, when there were only two others in the state, those at Little Rock and Fort Smith. In the spring of 1898 the municipal waterworks were established by a bond issue of $25,000, all of which has been paid. The works have since been much enlarged and supply practically the entire population. Batesville also has a municipal electric light plant and a well equipped fire department. It has three banks, several wholesale houses, an ice factory and cold storage plant, a sewer system, a number of woodworking concerns, two newspapers, a cotton compress, well stocked retail stores, handsome residences, churches of all the leading denominations, a modern public school system, Arkansas College, and in 1920 reported a population of 4,299, a gain of 900 since the census of 1910.

BRINKLEY

The City of Brinkley is situated in the northern part of Monroe County, at the junction of the St. Louis Southwestern, the Missouri Pacific and the Chicago, Rock Island & Pacific railroads. It was first incorporated on August 6, 1872, and is now a city of the second class. It is the outgrowth of railroad building and is one of the busy cities of Eastern Arkansas. Brinkley has waterworks and electric light, three banks, several sawmills and stave factories, two handle factories, two newspapers, mercantile establishments handling all lines of goods, churches of half a dozen different faiths, the usual lodges and clubs found in cities of its class, and a population of 2,714, an increase of 974 during the decade from 1910 to 1920.

CAMDEN

While there are several cities in Arkansas larger than Camden, there are few that have a more interesting history. Back in the days when Arkansas was a part of the Province of Louisiana, a Frenchman named Fabre settled upon the site where the city now stands and the place became known as "Ecore Fabre," or Fabre's Bluff. How long the Frenchman remained there is not certain, but the name was retained long after the Territory of Arkansas was created.

Being at the head of safe navigation on the Ouachita River, it was natural that a settlement should grow up there. Among the pioneers were: John Nunn and his brother, Matthew Campbell, Hiram Smith, Thomas Patton, the Moores, Pattersons, Sloans and a few others. A postoffice was established at Ecore Fabre and Hiram Smith was appointed the first postmaster. In 1839 a town was laid off at the Bluffs, as the place was commonly called, with a view to having it made the county seat in the event Union County was divided. This was done in 1842 and the new county was named Ouachita (See Ouachita County). Gen. Thomas Woodward, who was one of the commissioners to locate the county seat, suggested the name of Camden, which was adopted.

Camden was incorporated as a town on December 11, 1844, and is now a city of the second class with a population of 3,238. The industrial history of Camden begins with Ira Nunn's cotton gin in 1841. In 1858 Chase & Wilson started a carriage factory, and a little later Merrill & McGill built the brick woolen mills near the steamboat landing. The city now has electric light and waterworks, three banks, two cotton seed oil mills, half a dozen cooperage plants, an ice factory, large lumbering interests, a weekly newspaper, railroad shops of the Rock Island system, modern public school buildings, a number of mercantile concerns, etc.

Gen. Thomas Woodward built the first frame house in Camden; the first newspaper, the Ouachita Herald, was issued by Joshua Ruth on November 6, 1845, and the first church was built by the Methodists in 1844. The first piano belonged to Berenice Woodward, daughter of General Woodward, and it is said the Indians would frequently slip up to the house, peep curiously through the window and listen to her playing. The Gurdon branch of the Missouri Pacific (then the Iron Mountain) was completed to Camden in 1881, and the St. Louis Southwestern was built two years later. Then came the Rock Island, giving the city three lines of railway, radiating in all directions.

Among those prominent in Camden affairs after the Civil war was Alfred A. Tufts. He was born in Milwaukee, Wisconsin, September 3, 1847; was educated in Cincinnati and New York; enlisted in the One Hundred and Twenty-sixth Illinois Infantry, and was mustered out at Pine Bluff in July, 1865. In May, 1867, he accepted a Government position at Camden and became a permanent resident. He was receiver of public moneys under Presidents Grant, Hayes and Harrison, studied law and was admitted to the bar. In February, 1873, he married Miss Nellie D. Scott, daughter of Christopher C. Scott, the first lawyer to locate in Camden, who served as circuit judge and in 1848 was elected associate justice of the Supreme Court.

CONWAY

On August 1, 1871, A. P. Robinson laid out part of the Town of Conway. The Little Rock & Fort Smith Railroad had just been completed and the town plat included the railroad station. When Faulkner County was erected in 1873 the town plat was enlarged, Conway having been selected as the county seat. Soon after the town was first platted R. T. Harrison opened a store. Max Frauenthal was the second merchant. Conway was incorporated on October 9, 1875, and is now a city of the second class. In 1878 a large part of the town was destroyed by fire and a better class of buildings followed. The Frauenthal Block, erected in 1880, was the first brick building.

Conway is beautifully situated in the midst of a rich farming country, on the Missouri Pacific Railroad, thirty miles northwest of Little Rock. It is an educational center, being the seat of the State Normal School, Central and Hendrix colleges, and a modern public school system. It has municipal light and waterworks, a sewer system, substantial banking institutions, a number of fine church edifices, two weekly newspapers and two college publications, an ice and cold storage plant, a cotton compress, up-to-date mercantile establishments and many handsome residences. The population in 1920 was 4,564, a gain of 1,590 in ten years.

CORNING

Corning, one of the county seats of Clay County, is situated about six miles from the Missouri line on the Missouri Pacific Railroad, 156 miles northeast of Little Rock. It was incorporated as a town on August 3, 1877, soon after the railroad was built, and was made a city of the second class under the general law. In 1920 the population was 1,564 and in 1910 it was 1,439.

The industries of Corning include a flour mill, a stave factory, a foundry and machine shop, four sawmills, a pearl button factory, a handle factory, an ice and cold storage plant and some minor concerns. The city has two newspapers, a number of well stocked stores, modern public school system, electric light and waterworks, and is a trading and shipping point for a large agricultural district.

DE QUEEN

The City of De Queen is of comparatively recent origin. It came into prominence after the building of the Kansas City Southern Railroad, when it was made the county seat of Sevier County (see Sevier County). De Queen was incorporated on July 5, 1897. In 1900 it reported a population of 1,200; in 1910 it was 2,018, and in 1920 it was 2,517.

De Queen is the commercial and industrial center of the county. It has two banks, a weekly newspaper, waterworks, electric light, an ice factory and cold storage plant, a large cotton warehouse, an establishment for curing sweet potatoes, large lumbering interests, churches, schools and the usual mercantile concerns found in cities of its class.

EL DORADO

On July 10, 1843, the county court of Union County, in response to a petition signed by many citizens, ordered an election for commissioners to locate a seat of justice nearer the center of the county. The result was that the commissioners laid off a new town and gave it the name of El Dorado. It was incorporated on April 6, 1870, but remained a small town until 1889, having no transportation facilities except stage lines. In 1889 the Iron Mountain Railroad was completed to El Dorado and the place began to grow. In 1900 the population was 1,069. The Rock Island Railroad was built in 1903 and at the next census El Dorado reported 4,202 inhabitants. For some reason the population decreased during the next decade to 3,887. Then came the oil boom. On January 10, 1921, the "discovery" well came in with a daily flow of several thousand barrels, and within six months El Dorado was a city of 15,000 inhabitants. It is now a city of the first class. Population in 1920, 3,887.

El Dorado has several strong banks, a stock exchange, three railroad lines, a cotton seed oil mill, two cotton compresses, a brick factory, large lumbering interests, foundries and machine shops, several fine church edifices, modern public school buildings, a large wholesale and retail trade, waterworks and electric light, an active chamber of commerce, etc. Immediately after the discovery of oil three refineries were commenced and on July 21, 1921, the city shipped the first train load of gasoline.

EUREKA SPRINGS

Eight miles from the Missouri line on a branch of the White River is the City of Eureka Springs, one of the county seats of Carroll County. The healing properties of the water of what is known as the "Basin Spring" was discovered by Dr. Alvah Jackson about 1858. While trying to rescue one of his hounds that had attacked a panther, his son, who was troubled with granulated eyelids, got some dust in his eyes and went to the spring to bathe them. The relief he obtained was so pronounced that the doctor advised him to continue its use, and in time a cure was effected. In the summer of 1879 a number of people, hearing of the springs, encamped there to test the water for their ailments. At that time there was but one house, a rough board affair, but a town was laid off and on February 14, 1880, it was incorporated.

Within the city limits there are forty-two springs, the best known of which are the Basin, Arsenic, Congress, Crescent, Dairy, Iron, Little Eureka, Magnetic, Sulphur and Sycamore. Analyses of the waters show that the springs vary but little in their essential elements. As soon as the town was started, hotels were built for the accommodation of visitors and the fame of the springs spread rapidly, the waters being recommended for diseases of the kidneys and bladder, scrofulous troubles, skin diseases, etc.

Although primarily a health resort, Eureka Springs has banks, a canning factory, an ice factory, several lumber mills, two weekly newspapers, electric light, waterworks, hotels, stores, churches, schools, etc., and in 1920 reported a population of 2,429. Crescent College, a school for girls, is located here.

FAYETTEVILLE

When Washington County was created in 1828, the county seat was located where the City of Fayetteville now stands. There was then but one house there, that of James McGarrah, who settled there in the spring of that year. A postoffice was soon afterward established, with Larkin Newton as postmaster. This postoffice was first known as "Washington Courthouse," but in 1829 the postmaster-general ordered the name changed to "Fayetteville," in order to avoid confusion with Washington, Hempstead County.

Soon after the county seat was located here James Leeper, Reuben W. Reynolds, the Sweeneys and John Nye settled in Fayetteville. In February, 1830, John Nye opened a store in a small building erected for the purpose by James Holmsley. In 1832 David Walker, afterward chief justice of the Supreme Court, built a double log cabin on what is now Center Street. The next year Archibald Yell built his home, known as "Waxhaw," after his birthplace in North Carolina. It was then just outside the southern limits of the town and was still standing in 1920. Among the early hotels were the Burnside House and the Onstott House. The former charged $1.50 per day for room and meals, and the latter $1.25.

Fayetteville has always been in the front rank in matters of education. Miss Sophia Sawyer's Female Seminary was in its day one of the best known schools in the Southwest. Miss Sawyer was born at Fitchburg, Massachusetts, May 5, 1792, received a good education and in 1823 was appointed missionary to the

Cherokee Indians. On July 1, 1839, she came to Fayetteville and a little later opened her "seminary" in a little log house of one room. She received encouragement from the citizens and in time a building was erected, in which she conducted her school until a short time before her death.

Miss James' academy was also a well known school for several years before the Civil war, and Fayetteville was made the seat of the State University in 1871. The public school system is conducted along the most modern lines.

Fayetteville was incorporated as a town on November 3, 1836. In 1859 a city charter was obtained from the Legislature. During the Civil war the municipal government was suspended, and was not reinstated until 1867. P. V. Rhea was the president of the town trustees in 1836; J. W. Walker was the first mayor under the charter of 1859, and M. L. Harrison was the first mayor when the government was reorganized in 1867.

The principal industries of Fayetteville are fruit canneries and evaporators, spoke and stave factories, an ice and cold storage plant, nurseries, machine shops, and the banks and mercantile houses. The creamery operated in connection with the State College of Agriculture is known far and wide for the excellent quality of its butter. The city has four newspapers, exclusive of the University Weekly, a telephone exchange, many cozy homes, and in 1920 reported a population of 5,362, a gain of 891 in ten years.

FORDYCE

Fordyce, the county seat of Dallas County, dates its beginning from the building of the St. Louis Southwestern Railroad; in fact the city was started a short time before the railroad was completed. It was named for Samuel W. Fordyce, who has been mentioned in connection with the construction of that railroad. His son, John R. Fordyce, was superintendent of construction of Camp Pike at Little Rock, when the United States entered the World war in 1917.

The city was incorporated in July, 1884, and Dr. A. S. Holderness was elected the first mayor. The first newspaper, the Fordyce Enterprise, was started the same year by J. M. Raines. J. A. Amos and his brother were the first merchants. In 1920 the population was 2,996, an increase of 292 in ten years.

Fordyce is the principal banking and commercial center of the county. It has electric light and waterworks, a weekly newspaper, a telephone exchange, several sawmills, hub and spoke factories, an ice factory, good public schools, churches, etc., and is one of the most progressive cities in Southern Arkansas.

HACKETT

Although incorporated as a city on September 14, 1885, Hackett is a small place, with a population of only 398 in 1920. It is situated in the western part of Sebastian County at the junction of the Midland Valley and the St. Louis & San Francisco railroads. Coal mining is the principal industry. Hackett has a bank, a telephone exchange, a few general stores and a public school.

HELENA

According to the United States census of 1920, Helena was the sixth city of Arkansas in population, having 9,112 inhabitants. It is situated on the Mississippi River in the northeastern part of Phillips County, of which it is the county seat, and is the terminus of three lines of railway. It has seven banks, wholesale and retail mercantile establishments, boiler and machine shops, ice and cold storage plants, large lumbering interests, two cotton compresses, a cotton spinning company, mattress factories, four newspapers, a street railway, waterworks, gas and electric light, and a number of smaller industries.

Abundant relics have been found in the vicinity that indicate Helena was once the site of a populous Indian village or community. It has been claimed by some writer that "Pacaha," the Indian village visited by De Soto in 1541, stood about where Helena is now located. Sylvanus Phillips, one of the early settlers, has been credited with being the founder of the town (or city), naming it for his daughter Helen. The first official mention of Helena is in the act of November 21, 1829, which named James H. McKenzie, Hampton Montgomery and Joseph Robins as commissioners to "assemble at the Town of Helena on or before the first day of January, 1830, and lay off a site for a courthouse," etc.

A post office had been established there prior to that time, with George W. Ferebee as postmaster. William Patterson had built a warehouse there as early as 1800. In 1835 the town is described as having "three stores, two taverns, one hotel and several trading boats." Among the residents at that time were: Henry L. Biscoe, Edwin T. Clark, Dr. George W. McElrath, William Dobson, Austin Kendrick, Dr. Charles E. Nash and H. F. Mooney. The first newspaper, the Helena Herald, was started in 1833 by John Steele, who soon moved to Little Rock and was succeeded by Samuel S. Smith.

Thomas B. Hanley was one of the early residents. He represented Phillips County in the lower house of the Legislature in 1842; was elected judge of the first circuit in 1846; was state senator from 1852 to 1856, and in 1858 was elected associate justice of the Supreme Court. He was a delegate to the state convention of 1861, which passed the secession ordinance, and in 1879 was once more elected to the Legislature. He died at Helena in 1881.

Another prominent resident of Helena was James C. Tappan, a native of Tennessee, a graduate of Yale College, who studied law in Mississippi, was admitted to the bar in 1848 and the same year located in Helena. In 1851 he was elected to the Legislature from Phillips County; was receiver of the land office at Helena from 1852 to 1860; entered the Confederate service as colonel of the Thirteenth Arkansas Infantry and was promoted to brigadier-general. After the war he practiced law at Helena until his death, being the senior member of the firm of Tappan & Horner.

Generals Cleburne and Hindman, described in the chapter on the Civil war, were also residents of Helena.

West Helena, a town of 6,226 inhabitants, is connected with the city by an electric railway, and, although a separate corporation, is practically a part of the city. Helena was incorporated as a city by the act of December 5, 1856, and is now a city of the first class.

HOPE

On the main line of the Missouri Pacific Railroad, 112 miles southwest of Little Rock, is the City of Hope, the metropolis of Hempstead County. The town was laid out in July, 1873, by Chief Engineer Morley, of the Cairo & Fulton Railroad, and was named for Miss Hope Loughborough, whose father was one of the directors of that railroad company. At that time there was not a house on the town site, but the growth was so rapid that on March 25, 1875, it was incorporated as a city. The first city election was held on May 14, 1875, and P. F. Finley was elected the first mayor.

Hope is the terminus of a branch of the Missouri Pacific which runs to Nashville, and also of the Louisiana & Arkansas and a division of the St. Louis & San Francisco system. It is a banking town, has six newspapers and magazines, electric light, waterworks, fire department, an ice factory, three foundries and machine shops, a cotton compress, a furniture factory, a basket and crate company, a brick factory, a number of mercantile concerns that do both a jobbing and retail business, and several minor concerns. The population in 1920 was 4,790, an increase of 1,151 over the census of 1910.

JONESBORO

This city, the fifth in population in 1920, is the county seat of Craighead County. It was laid out in 1859 by J. N. Burk, G. B. Gibson and R. Stephens, who had been elected commissioners to select a site for a permanent seat of justice. It was incorporated on February 2, 1883, and is now a city of the first class, with a population of 9,384. In 1910 the population was 7,123. On April 27, 1889, the city was the victim of a disastrous fire, which destroyed the large brick building of Marcus Berger, the leading merchant, and over forty small buildings, the loss being about $200,000. The city was rebuilt rapidly, with buildings of a better class than those that were burned.

Jonesboro manufactures automobile truck bodies, baskets and crates, brick, cooperage material, cotton seed oil, furniture stock, handles, hubs and spokes, ice, lumber, and veneer. It has four banks, two newspapers, municipal waterworks and lighting plant, modern public school buildings, churches of various denominations, good streets and sidewalks and a number of well stocked mercantile concerns. Few cities in the state are better supplied with transportation facilities. The St. Louis & San Francisco, the Missouri Pacific, the St. Louis Southwestern and the Jonesboro, Lake City & Eastern center here. The shops of the last named line are in Jonesboro.

MAGNOLIA

In the summer of 1853 Coleman W. Garrett, Ananias Godbolt and Andrew J. Thompson were chosen commissioners to locate a seat of justice for Columbia County. They selected the site of the present City of Magnolia, which it is said received its name from the group of fine magnolia trees that stood on the site. On January 6, 1855, it was incorporated as a town and in 1914 it was raised to a city of the second class.

A man by the name of Steele opened a store soon after the town was platted. John Foster and C. J. Wilson were other early merchants. The first hotel was opened by S. F. Power. The growth of the town was slow until the completion of the railroad in 1881, since which time the growth has been steadily upward. Magnolia has banks, a brick factory, a cotton seed oil mill, an ice factory, electric light, waterworks, several large sawmills, a cotton compress, a flour mill, two newspapers, stores handling all lines of merchandise, and in 1920 reported a population of 2,158.

MARIANNA

The first settlement was made on the site of Marianna about 1860, but the town was not regularly platted until after the Civil war. In 1873 it was made the county seat and began to assume an air of more importance. It was incorporated on August 7, 1877, and is one of the active second class cities of the state. It is located near the center of Lee County, at the junction of two lines of the Missouri Pacific Railway system, has two banks, a weekly newspaper, electric light, waterworks, sewer system, flour mill, cotton compress, an ice and cold storage plant, a city hall, well paved streets, a public park, and is the principal trading and shipping point in the county. The population in 1920 was 5,074, an increase of 264 in ten years.

MORRILLTON

Old maps of Arkansas show a town called Lewisburg on the Arkansas River, in the southern part of Conway County. When the Little Rock & Fort Smith Railroad was built in the early '70s, the company established a station a short distance east of Lewisburg, on land belonging to E. J. and George H. Morrill. These gentlemen in 1875 laid off the town, which was named Morrillton and soon after it was made the county seat. Its growth was rapid and in a few years it was made a city of the second class. In 1910 the population was 2,424 and in 1920 it was 3,010, a gain of 686 in ten years.

Morrillton is fifty miles northwest of Little Rock. It has four newspapers, electric light, waterworks, sewer system, good streets and sidewalks, flour mill, foundries and machine shops, cotton seed oil mill, a cotton compress, and ice and cold storage plant, and is the most important banking and commercial center in the county.

NORTH LITTLE ROCK

About 1846 an officer in the United States army, named De Cantillon, was stationed at Little Rock. Just across the river from the city he laid off a town, which he named for himself. It did not amount to anything until after the completion of the Memphis & Little Rock Railroad, which had its terminus on the north side of the river. A few buildings were erected near the railroad station, but the name De Cantillon was discarded and that of Huntersville was adopted. The land adjoining the villages was owned by the heirs of Thomas W. Newton. In the spring of 1866 they employed David F. Shall to lay off a town,

with the railroad station at the southeast corner. A few miles up the river were the old Kellogg mines, which were believed to contain silver, and Robert C. Newton suggested the name "Argenta" for the new town, which was adopted. When the upper bridge over the Arkansas River was built in the early '70s, the railroad shops were located near the northern bridgehead and that part of Argenta received the name of Baring Cross, from the famous bankers of London, who were stockholders in the railroad.

Argenta was incorporated as a town in 1871 and F. O. Cook was elected the first mayor. In 1890 it was annexed to Little Rock. July 4, 1897, was a red letter day in the calendar of Argenta, for on that day the free bridge over the river was opened to traffic. Prior to that time the only means of communication with Little Rock was by ferry. In 1903 Argenta was disannexed from Little Rock. It was incorporated as a second class city in 1912 and in 1917 the name was changed to North Little Rock.

The city has its own electric light plant, four large cotton seed oil mills, a grain elevator, two ice factories, a chemical works, a creosoting plant, a nursery, machine shops, a number of well stocked mercantile concerns, fine public school buildings, a city hall, paved streets, etc., and in 1920 reported a population of 14,048, a gain of 3,910 over the census of 1910.

PARAGOULD

In 1881 the St. Louis Southwestern and the Helena & Knobel branch of the Missouri Pacific railroads were built, crossing each other in the eastern part of Greene County. A town was laid off at the intersection of the railroads by W. S. Pruett and J. J. Lambert, who owned the lands, and in 1884 it was made the county seat. The name of the town was made up of the names of two prominent railroad men of that day—J. W. Paramore, president of the road running to Helena (then a narrow gauge), and Jay Gould. It was incorporated as a town on March 3, 1883, and is now a city of the second class, with a population of 6,306 in 1920, a gain of 1,058 in ten years.

Paragould has four banks, two newspapers, one of the finest hotels in Arkansas, a pressed brick factory, a tile factory, an ice and cold storage plant, wholesale and retail mercantile establishments, a flour mill, two spoke factories, three cotton gins, railroad shops, a post office building a telephone exchange and a number of minor business concerns. In July, 1921, bonds to the amount of $200,000 were issued for a new water system, giving Paragould one of the finest waterworks in the state. The people take pride in their public schools and the Chamber of Commerce has adopted the slogan "You'll like Paragould."

PINE BLUFF

Joseph Bonne, a Frenchman, has been given the credit of being the first white settler at Pine Bluff. He was an interpreter when the treaty was concluded with the Quapaw Indians in 1818 and soon afterward located a temporary residence on the bank of the Arkansas River where the city now stands. Hempstead says he "lived there with no neighbor near until about 1830, when John W. Pullen came from North Carolina," etc. Yet Thomas Nuttall, who ascended

the Arkansas River about the time the territory was created, reached Pine Bluff (or the site of Pine Bluff) on March 14, 1819. He states in his journal that he found two or three families at the first pine bluff and just above the second was Ambrose Bartholome. "These," says he, "are the remains of the French hunters, whose stations have found a place in the maps of Arkansas, and they are in all probability the descendants of those ten Frenchmen whom de Tonti left on the Arkansas on his way up the Mississippi in the year 1685." (This date should be 1686.)

An election was held on August 13, 1832, to locate a permanent county seat for Jefferson County and Pine Bluff won by a large majority. Immediately after this the town was laid off by John W. and James T. Pullen, who advertised that the first sale of lots would take place on October 15, 1832. A post office had been established some time before this at a point two or three miles from the Bluff and James Scull appointed postmaster. The Gazette of February 13, 1833, announced that the postoffice had been removed, "by order of the postmaster-general, to the seat of justice, and John W. Pullen appointed postmaster."

Besides Joseph Bonne and Ambrose Bartholome, some of the pioneers of the city were: John W. and James T. Pullen, the latter of whom was probably the first physician, A. H. Davis, W. P. Hackett, Creed Taylor, the first sheriff of Jefferson County, William Kinkead, Nimrod Kay, John and Robert Walker, J. W. Bocage, the Fugates, Gibsons, Wrights and some others. Joseph Bonne kept the first tavern. James Buck and Drew White were also early tavern keepers. Martin W. Dorris, John S. Roane and James Yell were among the early lawyers. Antoine Barraque, who had been a soldier under Napoleon, was one of the early settlers, either in or near the town. He died on October 29, 1858. Barraque Township bears his name.

Pine Bluff was incorporated as a town on December 12, 1846. James De Bond, Jr., was the first mayor and the council was composed of W. P. Grace, Drew White, L. L. Mandel and Theron Brownfield. By 1860 the population had grown to more than one thousand and the place was incorporated as a city of the second class. It is now a first class city, the third city of the state in population. The census returns since the first incorporation have been as follows:

1850	400
1860	1,396
1870	2,081
1880	3,203
1890	9,952
1900	11,496
1910	15,102
1920	19,280

In 1850 Henry Cloyes started a small foundry, which is said to have been the first manufacturing concern in the town. On September 27th of that year a fire broke out in the Exchange Hotel, which destroyed the hotel and several adjoining buildings, causing a loss of $40,000. Such a loss would be con-

sidered small in 1921, but it was a serious matter in 1850. However, Pine Bluff was the gainer in the end, as better structures were erected in the place of those that were burned.

A few days before Fort Sumter was fired on in April, 1861, General Hindman sent a dispatch to Pine Bluff parties, advising them that two boats were on their way up the Arkansas with Government supplies for Fort Smith and Forth Gibson. A meeting was called at the courthouse and the Jefferson Guards, commanded by Captain Carlton, the Southern Guards, under Captain Bocage, and a large number of volunteers repaired to the river bank to intercept the boats. When they appeared a musket (no cannon was available) was fired across the bow of the one in front. They drew up to the landing, set the passengers on shore, and the supplies were taken in charge by Governor Rector for the Southern army. It has been claimed by some Pine Bluff people that the musket fired to signal the boats to land was "the first shot of the Civil war."

The Pine Bluff of the present is one of the commercial and manufacturing centers of the state. It has seven banks and trust companies, five candy factories, two cotton seed oil mills, grain elevators, three flour mills, two cotton compresses, large lumbering and woodworking interests, three ice and cold storage plants, foundries, iron works and machine shops, two newspapers, the shops of the St. Louis Southwestern Railroad, fine public school buildings, several wholesale houses and more than two hundred retail stores. The water supply is obtained from deep wells and the waterworks system is one of the best in the state. Natural gas is piped from the Caddo field, electric light is furnished at reasonable rates by the Street Railway and Electric Company, the city is well supplied with hotels, and transportation is provided by the St. Louis Southwestern and Missouri Pacific railroads. Pine Bluff is one of the great cotton markets of the state, handling 150,000 bales or more annually. This city is the headquarters of the Arkansas Light and Power Company, whose high voltage transmission lines radiate in all directions.

RECTOR

The City of Rector is situated in the southeastern part of Clay County, on the main line of the St. Louis Southwestern Railroad. It grew up after the railroad was built and was incorporated on September 13, 1887. The place was platted in 1881 by John B. Boykin. It has two banks, waterworks, electric light, a brick factory, flour mills, a handle factory, a newspaper, a telephone exchange, public school, and is a trading and shipping point for a rich agricultural district. The population in 1920 was 1,801.

RUSSELLVILLE

Seventy-five miles northwest of Little Rock, on the Fort Smith division of the Missouri Pacific, is the City of Russellville, the county seat of Pope County. The first settlement was made here in 1848 and Russellville was incorporated on June 7, 1870. Seven years later it was made the seat of justice. (See Pope County.) The Second District State Agricultural School is located here. Russellville is located near the site of the old Cherokee mission established by Rev. Cephas Washburn in 1820.

The city has three banks, a flour mill, foundry and iron works, an electric light and power plant, which supplies electric current to towns within a radius of thirty miles, well paved streets, a modern system of waterworks, an ice and cold storage plant, two newspapers, large coal mining interests, a telephone exchange, a modern hospital, wholesale and retail mercantile houses, fine public school buildings, and many handsome residences. The population in 1920 was 4,505, a gain of 1,569 over the census of 1910.

STUTTGART

This city, located in the southwestern part of Arkansas County, dates from 1884, when Louis Buerckle planted a German colony there and founded a town, which was named after the City in Germany whence they came. It was incorporated on August 5, 1889, and is one of the enterprising second class cities of the state. Two divisions of St. Louis Southwestern and the Chicago, Rock Island & Pacific railroads provide transportation facilities that makes Stuttgart the most important shipping point in the county.

Stuttgart has three banks, three newspapers, three large rice mills, foundries and machine shops, two flour mills, electric light and power, a water supply derived from deep wells, eleven churches, modern school buildings, etc. The population in 1920 was 4,522 and in 1910 it was 2,740. These figures show that Stuttgart is one of Arkansas' growing cities.

TEXARKANA

As this city is situated on the boundary line between Texas and Arkansas, it derives its name from the two states. Another story, and one most probable, is that when the surveyors of the old Cairo & Fulton Railroad reached the spot in 1856 where the city now stands, Calvin M. Hervey, a member of the party, suggested that if a city was laid out there the name should consist of the first three letters of Texas, the first four of Arkansas, and the last two of Louisiana. The town was not platted, however, until the fall of 1873, when the name was formally adopted. As a matter of fact, Texarkana consists of two separate municipalities, one in Texas and the other in Arkansas.

The Arkansas side was incorporated on August 10, 1880, and H. M. Beidler was elected the first mayor. It now has its own waterworks, gas and electric light plants, brick and tile works, a casket factory, cotton seed oil mills, cotton compresses, creameries, a handle factory, ice and cold storage plants, four newspapers (on both sides of the state line), wholesale and retail mercantile establishments, a telephone exchange, six banks, foundries and machine shops, good hotels, fine public schools and modern streets. The total population in 1920 was 19,737 and of this 8,257 was in Arkansas. In 1910 the population on the Arkansas side was 5,655.

VAN BUREN

About 1828 Thomas Martin settled where the City of Van Buren now stands. He was a "squatter," with no title to his land except the claim based on settlement: A few others located there during the next two years and in 1830 Thomas

Phillips bought Martin's claim. The following March a post office was established at "Phillips' Landing," as the place was then called, and Mr. Phillips was appointed postmaster.

In April, 1836, Thomas Phillips, as proprietor advertised lots in the Town of Van Buren for sale. This name was selected because Martin Van Buren was then a candidate for the Presidency and Mr. Phillips was one of his ardent supporters. Henry Mahon bought one of the lots and opened a store. Jesse Turner was the first lawyer. In 1878 he was elected associate justice of the Supreme Court. In 1839 Peter Hanger built a large house and opened a hotel. A little later he sold out and removed to Little Rock. The Van Buren branch of the Arkansas State Bank was kept in this building.

Van Buren was incorporated on December 24, 1842, and is now a city of the second class. In 1920 the population was 5,224 and in 1910 it was 3,878. It has three banks, one of the largest smelters in the Southwest, a canning factory, a flour mill, ice factories and cold storage plants, electric light, waterworks, a street railway, cotton gins and compress, a weekly newspaper, natural gas, mercantile houses handling all lines of goods, foundries and machine shops, paved streets, modern public school buildings and a number of cozy homes. Transportation is furnished by the Missouri Pacific and the St. Louis & San Francisco railways, and Van Buren is connected with Fort Smith by an electric line.

WYNNE

Wynne, the county seat of Cross County, dates its beginning from 1883, when it was laid off at the crossing of the Memphis & Bald Knob and the Helena & Knobel divisions of the St. Louis, Iron Mountain & Southern Railway (now the Missouri Pacific). The plat was made by J. A. Martin. It was incorporated May 29, 1888, and a little later was made the county seat. In 1920 the population was 2,933.

Wynne has large lumbering and cooperage interests, a handle factory, a hub and spoke factory, two newspapers, mercantile concerns, public schools, churches, paved streets, etc., and is the principal commercial and banking center of the county.

CHAPTER LI

INCORPORATED TOWNS

ARKANSAS CITY—ASHDOWN—ATKINS—AUGUSTA—BENTON—BENTONVILLE—BERRYVILLE—BLYTHEVILLE—BOONEVILLE—CLARENDON—CLARKSVILLE—COAL HILL—COTTON PLANT—CROSSETT—DARDANELLE—DERMOTT—DES ARC—DE WITT—DIERKS—DUMAS—EARLE—ENGLAND—EUDORA—FOREMAN—FORREST CITY—GILLETT—GREENWOOD—GURDON—HAMBURG—HARRISBURG—HARRISON—HARTFORD—HEBER SPRINGS—HORATIO—HOXIE—HUNTINGTON—HUTTIG.

According to the United States census for 1920, there were 320 incorporated towns in the State of Arkansas. Many of them are small places, with no special history, and have been mentioned in connection with the counties in which they are situated. The purpose of this chapter is to give some account of the more important towns—those with a population of 1,000 or more—with such facts concerning their history, commercial and industrial aspects, etc., as could be gleaned from various sources. For the convenience of the reader they are arranged in alphabetical order.

ARKANSAS CITY

This town is situated in the southeastern part of Desha County, on the Mississippi River, and is a terminus of a branch of the Missouri Pacific Railroad which gives direct connection with Pine Bluff and Little Rock. It was settled many years ago and was incorporated on September 12, 1873, by County Judge John A. Williams, in response to a petition of the inhabitants. Among those who were active in the movement were W. W. Bowles, J. H. Demay, M. W. Lewis, John Pryor and J. M. Whitehill. In 1880 it was made the county seat.

Arkansas City is one of the towns of the state that has never experienced a boom. In 1900 its population was 1,091 and in 1920 it was 1,482. This shows that its growth has been steady and of a permanent character. It has a bank, waterworks, an electric light plant, three large sawmills, a weekly newspaper, a cooperage plant, a number of mercantile concerns, churches of different denominations, a good public school system, and is an important shipping point, both by rail and water.

ASHDOWN

One of the most thriving towns in Southwestern Arkansas is Ashdown, the county seat of Little River County. It is pleasantly situated, a little east of the center of the county, at the junction of the Kansas City Southern, the St. Louis & San Francisco and the Memphis, Dallas & Gulf railroads. The town was

founded by W. D. Dupree and W. T. Waddell, on land belonging to the latter. Among the early settlers were the Duprees, Waddells, Allens, Bishops, Johnstons, Trailors and others. A post office was established soon after the town was laid out and a Mr. Keller was appointed postmaster. For about two years the place was known as "Keller." Then a fire destroyed a large part of the village, but it was quickly rebuilt and on June 6, 1892, it was incorporated under the name of Ashdown. Its transportation facilities and central location led to the removal of the county seat from Richmond.

Ashdown has two banks, six lumber mills, a large cotton compress and warehouse, a creamery, a cooperage company, an ice factory and cold storage plant, a weekly newspaper, modern public school buildings, churches of the Baptist, Christian, Methodist and Presbyterian faiths, a Young Men's Christian Association, lodges of several of the leading fraternal orders, a number of well-stocked stores, electric light and waterworks, and in 1920 reported a population of 2,052, a gain of 813 during the preceding ten years.

ATKINS

The Town of Atkins is located in the southeastern part of Pope County, on the line of the Missouri Pacific Railroad between Little Rock and Fort Smith. It grew up after the building of the railroad and was incorporated on October 23, 1876. In 1900 the population was 745; in 1910 it was 1,258; and in 1920 it was 1,529. Atkins has two banks, two large lumber mills, waterworks, a sewer system, an electric light plant, good schools and churches, and is the trading and shipping point for a rich agricultural district.

AUGUSTA

When Woodruff County was created in 1862 the county seat was fixed at Augusta, though the town had been settled and incorporated some years previous to that date. During the old steamboating days on the White River it was an important landing, being situated on that stream at the western boundary of the county. It is the terminus of a short branch of railroad which connects with the Memphis & Bald Knob division of the Missouri Pacific at New Augusta.

Early in December, 1868, a company of Governor Clayton's socalled militia, numbering about one hundred men commanded by "Gen." D. P. Upham, with almost as many camp followers attracted by the prospects of pillage, rode into Augusta, ostensibly in search of "Ku Klux." One of the first things "General" Upham did was to order the arrest and imprisonment of about a dozen of the leading citizens, who were held as hostages that the militia would not be molested, threatening that if any resistance was offered the hostages would be put to death. Stores were then plundered and the goods hauled away in wagons to be distributed as "spoils of war" among the faithful. About ten of the citizens, who had the temerity to protest were killed and several others were blackmailed out of all the money they could raise. This was the darkest day in Augusta's history, but the town recovered and has made steady progress. In 1900 the population was 1,040; in 1910 it was 1,520, and in 1920 it was 1,731.

Augusta has two banks, a cotton seed oil mill, an ice and cold storage plant,

a roller flour mill, a weekly newspaper, good public schools, three hardwood lumber companies, a system of waterworks, electric light, mercantile establishments carrying practically all lines of goods, and a number of handsome residences.

BENTON

As early as 1834 Joshua Smith started a store on the site of Benton. A post-office was established there in the spring of 1836 and Green B. Hughes was appointed postmaster. About the same time Rezin Davis, Green B. Hughes and John S. Lockhart were appointed commissioners to locate the county seat of Saline County. They decided in favor of Benton and the first public sale of lots was held on June 10, 1836. An order for the incorporation of the town was granted by the court at the April term in 1839. Rezin Davis, Jacob Hoover, James Cox, William Calvert, Presley L. Smith and Robert Gregory were appointed councilmen and Mr. Davis was chosen mayor. The present incorporation dates from December 28, 1848. J. H. Moore and George A. McDonald built the first hotel, and S. H. Whitthorne established the first newspaper—the Saline Courier.

Benton is situated southeast of the center of the county and is a railroad center of considerable importance. The Chicago, Rock Island & Pacific and three branches of the Missouri Pacific furnish ample transportation facilities in all directions. There are three banks, municipal waterworks, a sewer system, electric light, two flour mills, two large potteries, several woodworking concerns, two weekly newspapers, good hotels, a number of up-to-date mercantile houses, modern public school buildings, churches of different denominations, lodges of the leading fraternal organizations, etc. The population in 1920 was 2,933.

BENTONVILLE

The town of Bentonville, the county seat of Benton County, dates its existence from the spring of 1837, when Dr. Nicholas Spring opened a store on the townsite. Shortly afterward Robert Cowan, Barnett Forsyth and David McKissick were appointed commissioners to lay out the town. John G. and William T. Walker came about this time and started a second store. The town was incorporated on January 10, 1849, and in 1860 it had five general stores and some other business enterprises.

In February, 1862, a detachment of General Curtis' army marched through the town. One soldier lingered behind and got into a controversy with some of the residents, which resulted in his death. The next day the soldiers returned and learned of the death of their comrade, which incited them to apply the torch to the town. Thirty-six buildings were burned, though it may be said to the credit of the Federal commander that this was done without his orders or knowledge. It is said that later several other buildings were burned by the citizens to prevent their occupation by Federal troops. After the war the town was rebuilt and was again incorporated at the January term of court in 1873.

Bentonville is centrally located, on the St. Louis & San Francisco Railroad, in the great fruit belt of Northwestern Arkansas. Apples from Bentonville have

taken first prize at several of the great industrial expositions. The largest apple evaporating plant west of the Mississippi is located here. Owing to the great fruit growing interest, the United States established a weather bureau and a branch of the department of entomology here for the benefit of the orchardists. There are three banks, three cooperage plants, one of which has a capacity of 700 apple barrels a day, two fruit evaporators, one daily and two weekly newspapers, a large nursery, municipal light and waterworks, two public school buildings, a vinegar and cider factory, two lumber mills, ice factory and cold storage plant, churches of five different denominations, a flour mill with a daily capacity of 125 barrels, a large canning factory, a number of well stocked stores, well shaded streets and many cozy homes. The population in 1920 was 2,313.

BERRYVILLE

The land upon which the Town of Berryville stands was entered by Joel Plumlee about 1846. In 1848 James H. Berry, the father of Governor Berry, came from Alabama and settled near Plumlee. Two years later he established the first store in that part of Carroll County. The town was laid out in the fall of 1850 by Arnold Champlin. During the war Berryville lay in the path of both the Northern and Southern armies and suffered greatly in consequence. At the close of the war there was but one house left standing in perfect condition. Dr. A. A. Baker, the first physician in the town, was one of the first to rebuild. Benjamin Hailey, who was the first hotel keeper, soon followed, and in a few years all traces of war's ravages were obliterated. The town was made the county seat by a special election held on November 13, 1871, and on March 11, 1876, it was incorporated.

Berryville is centrally located and is the terminus of a short branch of the Missouri & North Arkansas Railroad, which connects with the main line at Freeman. It has two banks, two weekly newspapers, two roller flour mills, modern school buildings, one wholesale and a number of retail houses, a canning factory and several minor business enterprises. In 1910 the population was 785 and in 1920 it was 1,474, an increase of nearly 90 per cent in ten years.

BLYTHEVILLE

Blytheville, the northern county seat of Mississippi County, is situated in the heart of a rich farming district in the northeastern part of the county, about fifteen miles from the Mississippi River and at the junction of the St. Louis & San Francisco and the Jonesboro, Lake City and Eastern railroads.

This town has been called "the infant wonder." The United States census of 1900—the first after it was incorporated—showed a population of 302; in 1910 it was 3,849, and in 1920 it was 6,447. It has two banks, two weekly newspapers, waterworks, electric light, a sewer system, large lumber interests, cooperage works, two machine shops, an ice factory and cold storage plant, a broom factory, a handle factory, paved streets, mercantile establishments that handle all lines of goods, fine public school buildings, and in June, 1921, the new courthouse was dedicated.

BOONEVILLE

About 1827 M. T. Tatum settled in the southwestern part of what is now Logan County and opened a store. Shortly afterward he built a cotton compress—the first in that section—and procured the establishment of a postoffice, for which he suggested the name of "Booneville." The town was incorporated on May 17, 1878, and in 1900 it had a population of 988. About that time the Chicago, Rock Island & Pacific Railroad was built through Logan County and Booneville began to grow. In 1910 its population was 1,631 and in 1920 it had increased to 2,199.

Booneville has the division railroad shops of the Rock Island Railroad, a bank, three large lumber concerns, a nursery, waterworks, electric light, a modern public school system, an ice factory and cold storage plant, hotels, the mercantile establishments usually found in towns of its size, etc. Two weekly newspapers are published in the town and the Arkansas Tuberculosis Sanitarium, which is located near, publishes the Sanitarium Outlook.

CLARENDON

This town, the county seat of Monroe County, is situated in the western part of the county on the White River and at the junction of the St. Louis Southwestern and the Missouri Pacific railroads. The first settlement was made here about the time Arkansas Territory was organized. A postoffice was soon afterward established under the name of "Mouth of the Cache." Subsequently the place was known as "Rockroe," or "Roe Rock." It was made the county seat in 1857. In January, 1863, some Confederate stores and a small detachment of troops were captured at Clarendon by the Federal General Gorman, who led an expedition up the White River after the reduction of Arkansas Post, and a part of the town was burned. It was rebuilt, and on August 11, 1898, was incorporated as a city of the second class, though the United States census of 1920 classifies it as a "town," and gives the population as 2,638.

Clarendon is one of the busy towns of the White River Valley. It has large lumber interests, manufactures handles, wagon materials, cooperage, etc. It has electric light, a municipal waterworks, two banks, a weekly newspaper, a pearl button factory, a telephone exchange, an ice and cold storage plant, a machine shop and foundry, well stocked stores, good streets and hotels, a modern public school system, and is the commercial center for a large agricultural region.

CLARKSVILLE

Clarksville is one of the old towns of the Arkansas Valley. It was settled soon after Arkansas Territory was created and in 1836 it was made the county seat of Johnson County, an honor it has ever since retained. The town was named for Gen. Lorenzo Clark, who settled at Morrison's Bluff, a few miles south on the Arkansas River. It is located in the southern part of the county, about four miles from the Arkansas River and on the Little Rock & Fort Smith division of the Missouri Pacific Railroad system. It was incorporated on

December 21, 1848, and the first school for the blind in Arkansas was established here in 1850.

The town has two banks, an ice and cold storage plant, a large flour mill, a weekly newspaper, good public schools, a telephone exchange, a cabinet works, a basket factory, stores handling all lines of merchandise, and is the headquarters of six coal mining companies. The population was 2,127 in 1920, an increase of 671 during the preceding ten years.

COAL HILL

The name of this town is suggestive of its leading industry. It is situated in the southwest corner of Johnson County, on the Little Rock & Fort Smith division of the Missouri Pacific Railroad, and is the outgrowth of the development of the rich coal fields, no fewer than eight mining companies operating in the district.

Coal Hill was incorporated on January 8, 1880. It has a bank, a third class postoffice, several good stores and some minor business concerns, telephone connection with the surrounding towns, public schools, etc., but the principal business is coal mining. Population, 1920, 1,057.

COTTON PLANT

Situated in the southern part of Woodruff County, at the junction of the Chicago, Rock Island & Pacific and the Missouri & North Arkansas railroads, is the incorporated Town of Cotton Plant. It was incorporated on November 14, 1887, and a few years ago was made the county seat for the southern district of the county.

Cotton Plant manufactures packing boxes, cooperage, shingles and veneer, having seven stave factories and five large sawmills in and near the town. It has two banks, a cotton compress and warehouse, an ice and cold storage plant, waterworks, electric light and power, public schools, churches, etc., and in 1920 reported a population of 1,661, a gain of 580 during the preceding ten years.

CROSSETT

The Town of Crossett was founded in 1902 by the Crossett Lumber Company on what is known as the "Gary Plan." The company owns the ground and buildings, though the citizens, most of whom are employes of the company, have a voice in the management of its affairs, the town being regularly incorporated under the laws of the state. Crossett has been held up by the newspapers as an example of what can be accomplished by the complete understanding and cooperation between a corporation and its employes. Homes are furnished to the workmen at moderate rentals, a hotel is maintained for the single men and the traveling public, there is a hospital and a Young Men's Christian Association for both married and unmarried men, the membership fee of which is only 50 cents a month, the public schools are conducted on a high plane, the town has been so well drained that the malaria-breeding mosquito has been driven out, and various other improvements have been made by cooperation for the

common good. There is but one store in the town and it also is operated on the cooperative plan. Crossett has a bank, a weekly newspaper, waterworks and lighting plant, an ice factory and in 1920 reported a population of 2,707.

DARDANELLE

Various stories have been told as to how the Town of Dardanelle received its name. One is that it originated from an Indian legand. Another says it was derived from Jean Baptiste Dardenne, who, with Michel Grenlick, settled there about 1798. A third account says the Cherokee word "Dardonnie" means "to sleep with one eye," and that the appearance of the rock which towers 300 feet above the Arkansas River at this point suggested the name, which has been modified to "Dardanelle."

Nuttall, the naturalist, who ascended the Arkansas River in 1819, climbed to the top of this rock and obtained a fine view of the surrounding country. The Cherokee Indian agency was established there in 1820, but the first permanent white settlement was not made until about 1842. Dardanelle was regularly laid out by Doctor Brearly in 1843 and was incorporated on January 17, 1855. A land office was established here at an early date and the town once boasted a plow factory.

Dardanelle is the northern county seat of Yell County. It is located on the Arkansas River at the junction of three railroads—the Chicago, Rock Island & Pacific, the Dardanelle & Russellville, and the Fort Smith, Subiaco & Eastern, which is a branch of the Arkansas Central system. It has an active chamber of commerce, two banks, a weekly newspaper, electric light and power, a fine system of waterworks, foundries and machine shops, two plants for curing sweet potatoes, an ice factory, good public schools, churches of several demoninations, and the usual mercantile houses found in towns of its size. The population in 1920 was 1,835.

DERMOTT

Dermott is the largest town in Chicot County. It is situated in the extreme northwest corner of the county, at the junction of two lines of the Missouri Pacific Railway system, and was incorporated on August 15, 1890. The population at that time was 467 and in 1920 it was 2,330. The principal industries are lumbering and the manufacture of handles, silos and cooperage material. It has two banks, electric light, modern public schools, and is the principal trading and shipping point for a large district in Chicot, Arkansas and Drew counties.

DES ARC

The Town of Des Arc, the northern county seat and largest town in Prairie County, dates its history from 1831. In July of that year a postoffice was established with Lewis Kirkpatrick as postmaster. During the next twenty years a few families settled near the postoffice and in 1851 the town was regularly laid out by George C. Watkins, the owner of the land. On December 28, 1854, it was incorporated. In January, 1863, a few Confederates, stationed at Des Arc to guard some military stores, were captured by General Gorman.

Des Arc is situated in the northern part of the county, on the White River and the De Vall's Bluff & Searcy division of the Chicago, Rock Island & Pacific Railway system. It has one state and one national bank, a foundry and machine shop, two weekly newspapers, a number of sawmills and woodworking concerns, stores, public schools, etc. Its population in 1920 was 1,307.

DE WITT

On December 10, 1852, Governor Elias N. Conway approved an act authorizing an election to be held in Arkansas County on February 19, 1853, for commissioners to select a site for a permanent county seat. They selected a site near the center of the county and Adam McCool, county surveyor, platted the town in the spring of 1854. Then the question of a name came up for consideration. It was agreed that the surveyor and each of the commissioners should write a name on a slip of paper, drop those slips into a hat, and the one drawn should be the name of the new town. Mr. McCool was an admirer of De Witt Clinton, but the county seat of Van Buren County had already been named "Clinton," so he wrote "De Witt" and the slip bearing that name was taken from the hat.

De Witt is situated on the branch of the St. Louis Southwestern Railroad that connects Gillett and Stuttgart, in the midst of a fine farming country. It has two large rice mills, two banks—one state and one national—important lumber interests, a weekly newspaper, public schools, churches of several denominations, and is the headquarters of the Rice Belt Telegraph and Telephone Company. The population in 1920 was 1,422, an increase of 591 in ten years.

DIERKS

In the central part of Howard County is situated the Town of Dierks, which was incorporated in 1908 with a population of 250. It is the terminus of the De Queen & Eastern Railroad, which taps a large tract of valuable timber, and a large sawmill employing 500 men is located at Dierks. The town has two banks, a fine high school building, an active chamber of commerce, electric light and power, waterworks, a weekly newspaper, a flour mill, and a number of up-to-date stores. The population in 1920 was 1,495, and in 1910 it was only 272. These figures show the growth and activity of the town.

DUMAS

The Town of Dumas, situated in the northwestern part of Desha County, is a comparatively new town. It grew up after the railroad between Pine Bluff and Arkansas City was built and is now one of the active business centers of the county. Dumas has two banks, municipal light and waterworks, a weekly newspaper, a nursery, a telephone exchange, a number of sawmills and woodworking concerns, and is a trading and shipping point for a rich farming district. In 1910 the population was only 519 and in 1920 it was 1,124.

EARLE

Near the western boundary of Crittenden County, on the Memphis & Bald Knob division of the Missouri Pacific Railway system, is the Town of Earle. It dates its beginning from the building of the railroad and was incorporated early in the present century. In 1910 the population was 1,542 and in 1920 it was 2,091. Earle is provided with water and electric light by municipal plants, has a weekly newspaper, two ice and cold storage plants, a cotton compress, several sawmills and cooperage works, and is the banking and commercial center for a large agricultural district in the western part of Crittenden and the eastern part of Cross County.

ENGLAND

In January, 1889, John C. England laid off a town in the southwestern part of Lonoke County and named it after himself. It is located at the junction of two branches of the St. Louis Southwestern Railroad and was incorporated on February 22, 1897. A newspaper was started here soon after the town was platted by a Mr. Wright. In 1900 the population was 368; in 1910 it was 1,407, and in 1920 it was 2,408. These figures show that England is one of the progressive towns of the state. It has a cotton seed oil mill, a flour mill, a telephone exchange, electric light, a number of good stores, modern public school buildings, an ice factory and is the banking and commercial center for a considerable scope of country in Lonoke, Jefferson and Pulaski counties.

EUDORA

One of the modern towns of Arkansas is Eudora, situated in the southern part of Chicot County, at the junction of the Helena & Natchez division of the Missouri Pacific and a branch of the same system which runs from Eudora to Epps, Louisiana. It was incorporated early in the present century and in 1910 reported a population of 606. Ten years later it had grown to a town of 1,198. Eudora has a bank, an electric light plant, a cotton compress and warehouse, sawmills and cooperage plants, a number of mercantile establishments, public schools, etc., and is a trading and shipping point for a large district.

FOREMAN

The original name of this town was Rocky Comfort and it is said to be the oldest town in Little River County. It is on the St. Louis & San Francisco Railroad, about fifteen miles west of Ashdown, the county seat. Foreman has a bank, a weekly newspaper, an $80,000 public school building, a telephone exchange, sawmills, well stocked stores, etc. It was incorporated on August 20, 1901, and in 1910 reported a population of 612. Ten years later it was 1,500.

FORREST CITY

Forrest City, the county seat of St. Francis County, is situated near the center of the county, at the junction of the Missouri Pacific and the Chicago,

Rock Island & Pacific railroads, and on the western slope of Crowley's Ridge. It was incorporated on May 11, 1871, and in June, 1874, was made the seat of justice. It has three banks, seven miles of paved streets, a fire department, a cotton compress, a cotton seed oil mill, two newspapers, waterworks and electric light, large lumbering interests, an ice factory, up-to-date mercantile establishments, modern public schools, and in 1920 reported a population of 3,377, an increase of 893 in ten years.

GILLETT

This is one of the thriving towns of Arkansas County, located at the terminus of a branch of the St. Louis Southwestern Railroad, twelve miles south of De Witt. It was incorporated after the beginning of the present century and in 1910 reported a population of 256. In 1920 it had grown to be a town of 1,155, with a bank, a weekly newspaper, several sawmills, good public schools, strong mercantile concerns, etc. It is the nearest incorporated town to Arkansas Post, the first capital of Arkansas Territory.

GREENWOOD

Greenwood originated with the selection of its site as the county seat of Sebastian County in 1851. It was laid off that year on land owned by Reuben Coker and the first house was built by John Carnall. Thomas Kersey was the first merchant, and John Martin opened the first tavern. Greenwood was partly burned during the Civil war, but was rebuilt, and on November 15, 1884, it was incorporated. It is a banking town, located near the center of the county, at the junction of the Midland Valley and the St. Louis & San Francisco railroads, has a weekly newspaper, a telephone exchange, mercantile houses, public schools, etc. Coal mining is an important industry. The population in 1920 was 1,374, a gain of 250 in ten years.

GURDON

Soon after the completion of the Iron Mountain (now the Missouri Pacific) Railroad from Little Rock to Texarkana, a station called Gurdon was established fifteen miles south of Arkadelphia. Subsequently a branch of the same railroad was built from Gurdon to Womble, Montgomery County, which brought the town into greater prominence. It was incorporated on November 8, 1880, and in 1920 reported a population of 1,469. Gurdon has a bank, a weekly newspaper, electric light, a brick factory, a flour mill, the usual run of mercantile concerns found in towns of its size, public schools, good streets and sidewalks, etc.

HAMBURG

In 1849 commissioners were appointed by the county court to locate a county seat in Ashley County. The result was the beginning of Hamburg, which was laid off in that year. It is said the town received its name from the fact that one of the commissioners killed a deer near the town site; that this deer when dressed showed a remarkably fine pair of hams, and from this the name Hamburg was chosen. (See Ashlay County.)

Hamburg was incorporated on December 14, 1854, and in 1860 had only about 500 inhabitants. The population in 1920 was 1,538. The town is situated in the heart of a rich agricultural district, at the junction of the Missouri Pacific and Louisiana Midland railways, has two banks, two newspapers, several large sawmills, an ice factory, electric light and waterworks, modern public schools, good stores, etc.

HARRISBURG

About 1856 the Town of Harrisburg was laid off with a view to having it made the seat of justice of Poinsett County, which was done early in the following year. It is situated near the center of the county, on the branch of the Missouri Pacific Railroad that runs between Helena and Knobel. The town was incorporated on January 16, 1883, has a bank, an electric light plant, a weekly newspaper, several sawmills and stave factories, and is the principal trading and shipping point for the central part of the county. Population in 1920, 1,315.

HARRISON

This town, the county seat of Boone County, was started in 1869, when the plat was made by H. W. Fick, who named the town for his friend Col. M. L. Harrison. It was incorporated on February 4, 1876, soon after it had been made the permanent seat of justice. The United States census for 1920 gives Harrison a population of 3,477 and classifies it as a town, though some other authorities report Harrison as a city of the second class. Whether a town or a city, it is one of the enterprising places in Northwest Arkansas. This is shown by its almost marvelous growth between 1910 and 1920—an increase in population of 1,875, or more than 115 per cent.

Harrison has three banks, a fine system of waterworks, electric light and power, wholesale and retail mercantile establishments, an ice and cold storage plant, two newspapers, large lumber and woodworking interests, a Government post office building, three public school buildings, a canning factory, and before the Missouri & North Arkansas Railroad suspended operations shipped annually large quantities of fruit.

HARTFORD

In the southern part of Sebastian County, at the junction of the Midland Valley and Rock Island railroads, is the Town of Hartford. It was founded by Dr. J. D. Williams about 1868 and William J. Fleming and William Stevenson soon after opened a store. It was incorporated a few years later and in 1920 reported a population of 2,067, a growth of 287 in ten years. Hartford is a banking town, with a weekly newspaper, an electric light plant, an ice factory, sawmills and stores, public schools, etc. Sixteen coal mining companies have offices here.

HEBER SPRINGS

Heber Springs, the county seat of Cleburne County, is situated near the center of the county on the Missouri & North Arkansas Railroad. It takes its

name from the mineral springs, which contain arsenic, iron, magnesia, sulphur and other mineral ingredients, and Springs Park is a popular resort, both for health and pleasure. It contains about ten acres and is visited every year by people from all parts of the country. The town has fine public buildings, electric light and power, a flour mill, a newspaper, several sawmills, a co-öperative warehouse, five churches, wholesale and retail mercantile establishments, and many cozy homes. It is the principal banking town of the county. In 1920 the population was 1,675. It was established in 1883 and incorporated before it was one year old.

HORATIO

When the Kansas City Southern Railroad was built through Sevier a station was established in the southwest corner, about three miles from the Little River. On October 11, 1898, this town was incorporated under the name of Horatio. In 1920 it reported a population of 1,038, with two banks, a newspaper, electric light, several sawmills, a handle factory, a basket factory, a flour mill, public schools and stores handling all lines of mercandise.

HOXIE

In the eastern part of Lawrence County, at the junction of the St. Louis & San Francisco and the Missouri Pacific railroads, is the Town of Hoxie. It was laid off in 1883 for Mrs. M. A. Boas, who owned the land, and was incorporated on February 15, 1888. It has a bank, a flour mill, electric light, an ice and cold storage plant and is a trading center for a considerable farming district. Hoxie is connected with Walnut Ridge by an electric railway. Population in 1920, 1,711.

HUNTINGTON

This is a mining town in the southern part of Sebastian County, on the Mansfield branch of the St. Louis & San Francisco railroad. It was laid out in August, 1887, by the Missouri, Kansas & Texas Coal Company, and was incorporated on February 4, 1888. The first house in the town was built by Samuel Fellows, superintendent of the coal company. The first store was opened by the company in the fall of 1887 and the first newspaper was established in the fall of 1888.

Huntington has a bank, two newspapers, a flour mill, several general stores, a public school, and is the headquarters of ten coal mining companies. In 1920 the population was 1,453.

HUTTIG

In the southeast corner of Union County, at the junction of the Missouri Pacific and the Louisiana & Pine Bluff railroads, is the Town of Huttig, one of the large lumber towns of Southern Arkansas. It has a bank, a newspaper, sawmills, mercantile concerns, etc. Huttig has grown up since the building of the railroads into that section of the state. The population in 1920 was 1,261.

CHAPTER LII

INCORPORATED TOWNS (Continued)

LAKE VILLAGE—LESLIE—LEWISVILLE—LONOKE—LUXORA—MC GEHEE—MALVERN—MARKED TREE—MENA—MONETTE—MONTICELLO—MULBERRY—NASHVILLE—NEWPORT—OSCEOLA—OZARK—PARIS—PARKIN—PIGGOTT—POCAHONTAS—PRESCOTT—ROGERS—SEARCY—SILOAM SPRINGS—SPRINGDALE—STAMPS—THORNTON—TRUMAN—WALNUT RIDGE—WARREN—WEST HELENA—WILMAR—OTHER TOWNS.

This chapter is a continuation of the preceding one, following the alphabetical order of incorporated towns having a population of 1,000 or more, according to the United States census of 1920. The reader should bear in mind that these places are classed as "towns" by the census bureau, though some of them may have been elevated to cities of the second class since the census of 1920 was taken.

LAKE VILLAGE

In 1856 John Sumner laid out a town on the west shore of Lake Chicot, or Old River Lake, and gave it the name of Lake Village. A few years later it was made the county seat of Chicot County. A visitor to Lake Village in 1896 said the town had the appearance of not having a new building erected or an old one painted during the forty years of its existence. Probably that was an exaggeration, but the growth of the town was slow until after the building of the railroads. Lake Chicot has been called the "fisherman's paradise." With improved transportation facilities, the number of visitors to the lake increased and the town began to grow. It was incorporated on August 3, 1895, and in 1910 reported a population of 1,074. Ten years later it had increased to 1,449.

Lake Village has two banks, municipal waterworks, an electric light plant, paved streets in the business district, good sidewalks, a weekly newspaper, cotton gins, hoop and stave factories, three graded schools, seven church organizations, several hotels and restaurants for the accommodation of the numerous visitors and tourists, etc. Over five thousand pounds of iced fish are shipped daily to southern cities, and some of them to markets as far distant as Chicago.

LESLIE

In the southeastern part of Searcy County, on the Missouri & North Arkansas Railroad, is the incorporated Town of Leslie. It is a comparatively new town, having grown up after the building of the railroad as a trading center and shipping point for the farmers and fruit growers in the vicinity. Leslie has a bank, a newspaper, a telephone exchange, an electric light plant, a canning

factory, a creamery, flour mills, sawmills and stave factories, a modern public school building, several churches, mercantile establishments, etc., and in 1920 reported a population of 1,472. Before the railroad suspended operations in the summer of 1921, large quantities of fruits and vegetables were shipped from Leslie annually.

LEWISVILLE

This town is the county seat of Lafayette County. It is situated at the junction of the main line and the Shreveport branch of the St. Louis Southwestern Railroad, in the midst of a rich farming country, and in 1920 reported a population of 1,067, a gain of 192 in ten years. It is a banking town, with a newspaper, a flour mill, electric light plant, waterworks, a telephone exchange, several sawmills, retail stores, public schools, good streets and sidewalks, etc.

Lewisville was founded in 1882 and the first building was the railroad station. M. D. Lester erected the first store building. Old Lewisville was established as early as 1841, but after the new town was laid out it practically disappeared from the map, the business all moving to the new town to be on the railroad. New Lewisville was incorporated in March, 1889, with D. W. Bright as the first mayor.

LONOKE

When the Memphis & Little Rock Railroad was built a station called "Hicks' Station" was established about a mile and half from the present Town of Lonoke. Upon the creation of Lonoke County commissioners appointed for the purpose located the seat of justice at Lonoke and the railroad station was moved to the town. (For origin of the name see Lonoke County.) The town was founded in 1869 and on January 22, 1872, it was incorporated. T. C. Beard and William Goodrum were the first merchants, followed a year later by I. C. Hicks.

Lonoke is situated near the center of the county, on the Rock Island Railroad, twenty-one miles east of Little Rock. It has waterworks, electric light, two newspapers, a rice mill, a flour mill, an ice and cold storage plant, and is the banking and trading point for a large part of the county. The population in 1920 was 1,711.

LUXORA

Situated on the Mississippi River, on the eastern border of Mississippi County, is the Town of Luxora, which was incorporated on June 3, 1897. It is the terminus of the Jonesboro, Lake City & Eastern Railroad and is on one of the main lines of the St. Louis & San Francisco system. These railroads, as well as the water transportation afforded by the Mississippi River, make Luxora a prominent shipping point for a rich agricultural district. It is also a banking town, with waterworks, electric light, up-to-date mercantile houses, a newspaper, a handle factory, cooperage works and some other manufacturing enterprises, and a population of 1,179 in 1920. In 1910 the population was only 677.

MC GEHEE

McGehee is situated in the southern part of Desha County, at the junction of two divisions of the Missouri Pacific railway system, in the heart of a rich farming country. It dates its beginning from the building of the railroads and from an insignificant village of some fifteen or twenty inhabitants in 1905, it is now one of the prosperous towns of Arkansas. It first appears as an incorporated town in the census of 1910, when the population was 1,157. Ten years later it had grown to 2,368, or an increase of nearly 110 per cent.

Among the industries and business concerns of McGehee are the Missouri Pacific Railroad shops, a cotton compress, an ice and cold storage plant, a weekly newspaper, two banks, sawmills and cooperage works, wholesale and retail stores, and some minor enterprises. The town is provided with waterworks, electric light, good public school buildings, well kept streets, etc.

MALVERN

In 1873 the St. Louis, Iron Mountain & Southern Railroad Company laid off the town of Malvern, which was destined to become the county seat and principal town of Hot Spring County. During the first two years of its existence the growth of Malvern was slow, but the completion of the "Diamond Joe" Railroad from Malvern to Hot Springs brought the former place into greater prominence. It was incorporated on July 5, 1876, and is now the banking and commercial center of the county. It has three large brick and tile factories, two flour mills, sawmills, handle and spoke factories, an ice and cold storage plant, three newspapers, a basket and crate factory, wholesale and retail stores, modern public school buildings, and in 1920 reported a population of 3,864, an increase of 1,086 in ten years.

MARKED TREE

The Town of Marked Tree is situated in the eastern part of Poinsett County, at the point where the St. Louis & San Francisco Railroad crosses the St. Francis River. It is said to have taken its name from a mark on a tree, indicating that the river was fordable at that place. The town was incorporated on July 8, 1897, and in 1900 reported a population of 352. In 1920 the population was 1,318. Marked Tree has several sawmills, cooperage plants, a shingle factory, a newspaper, electric light, public school, etc., and is the commercial and banking center for a large district of farming country.

MENA

Soon after the Kansas City Southern Railroad was built through Polk County, the Town of Mena was established and became the county seat. It was incorporated on September 12, 1896, and four years later the census showed a population of 3,423. It seems to have attained its growth about that time, as in 1910 the population was 3,953 and in 1920 it was 3,441. Notwithstanding the fact that the population has remained almost stationary, the wealth and

industries of the town have continued to multiply. It has a flour mill, electric light and waterworks, paved streets, two newspapers, an ice and cold storage plant, mercantile concerns, some of which do a jobbing business, modern public schools, and a number of cozy homes. (See Polk County.)

MONETTE

Monette, a comparatively new town, is situated in the northeastern part of Craighead County, on the Jonesboro, Lake City & Eastern Railroad. It first appears in the census reports as an incorporated town in 1910, when the population was 559. Ten years later it had grown to a town of 1,066 inhabitants. It has two banks, a newspaper, three cotton gins, a flour mill, sawmills and woodworking establishments, electric light and waterworks, an ice factory, public schools, churches of several denominations, and ships over 25,000 bales of cotton annually.

MONTICELLO

In the latter part of July, 1849, the commissioners appointed to locate a permanent seat of justice for Drew County platted the Town of Monticello, which is said to have been named for President Jefferson's residence in Virginia. Soon after the town was laid out a license was granted to William J. Barksdale to keep a tavern, which was one of the early business enterprises.

Monticello is situated at the junction of the Missouri Pacific and the Arkansas & Louisiana Missouri railways, a little northwest of the center of the county. It is the banking and commercial center of a large agricultural district, has large lumber interests, a cotton compress, a cotton seed oil mill, a brick factory, two newspapers, a number of well stocked stores handling all lines of merchandise, modern public schools, churches of all the leading denominations, and boasts the largest cotton mills in Arkansas. The town was incorporated on December 30, 1852, and in 1920 reported a population of 2,378.

MULBERRY

The Town of Mulberry is located in the southeastern part of Crawford County, on the Little Rock & Fort Smith division of the Missouri Pacific Railroad. It was founded soon after the railroad was completed and takes its name from the creek a short distance east of the town. On September 11, 1880, Mulberry was incorporated. Twenty years later the population was only 361, but in 1920 it had grown to a town of 1,095. It has a bank, a newspaper, a telephone exchange, a sawmill, several mercantile concerns, public schools, etc., and is the shipping point for a considerable district.

NASHVILLE

About 1836 a Baptist Church was built where the Town of Nashville now stands. A small village grew up about the church and a few years later the town was regularly platted. Some of the most influential of the early settlers

were from Tennessee and the name Nashville was adopted. Hawks & Sandiford were the first merchants, soon followed by the firm of Smith & Coulter. A post-office was established in 1840 with Amasiah Lews as postmaster. During the Civil war all business was practically suspended. In the latter '60s the town began to grow again and on October 18, 1883, it was incorporated. Dr. D. A. Hutchinson was the first mayor. In the spring of 1884 the railroad between Nashville and Hope was completed and the growth of the town was more rapid. In 1920 the population was 2,144.

Nashville is a banking town, with electric light, waterworks, an ice and cold storage plant, a canning factory, foundries, machine shops, a flour mill, two newspapers, a brick factory, fruit box and crate factory, mercantile concerns, some of which do a wholesale business, well kept streets, modern public schools, etc. Large quantities of fruit are shipped from Nashville every year.

NEWPORT

Eighty-four miles northeast of Little Rock, on the main line of the Missouri Pacific Railroad, is the Town of Newport, the county seat of Jackson County. It was laid out by the railroad company in 1872 and a few years later was made the county seat. Newport was incorporated on August 6, 1875, and in 1920 the population was 3,771. Among the industries are a candy factory, a cotton compress, a cotton seed oil mill, a creamery, foundries and machine shops, a pearl button factory, a telephone exchange, sawmills, stave factories, iron works, a handle factory, shingle mills, an ice and cold storage plant, wholesale and retail mercantile concerns, etc.

Newport is provided with a modern system of waterworks, an electric light plant, three newspapers, fine public school buildings, churches of various denominations, and is the commercial and banking center for a large part of the county. In addition to the Missouri Pacific, Newport is the terminus of the branch of the Rock Island Railroad which runs south to Brinkley.

OSCEOLA

The Town of Osceola dates its beginning from 1836, when the commissioners appointed to locate a permanent seat of justice for Mississippi County laid out the town and named it for the great Seminole chief, who was just then a prominent figure in American history. The town was first incorporated on January 12, 1853. In November, 1875, a new charter was obtained and Leon Roussan was elected mayor.

Osceola has municipal waterworks and electric lighting plant, two banks, a newspaper established in 1870, wholesale and retail mercantile houses, four cotton gins, a cotton seed oil mill, an ice and cold storage plant, machine shops, large lumber and woodworking interests, graded school system and a number of handsome residences. The population in 1920 was 1,755.

OZARK

On April 12, 1836, Archibald Yell, David Walker and William Haile advertised that they had laid off a town "on the north bank (at the great North Bend)

of the Arkansas River," and that a public sale of lots would take place on the 4th of July following. The town was named for the mountains among which it is situated and is the oldest town in Franklin County. When Franklin County was created in 1837, Ozark was made the county seat and in 1838 it was incorporated. Samuel Evans was the first merchant, David Walker built a warehouse and office "on the river bank," and Archibald Yell also built an office.

During the Civil war the town was almost entirely burned, only three houses being left standing. After the war the work of rebuilding was pushed forward with vigor and on January 10, 1865, Ozark was again incorporated. This incorporation failed and on September 16, 1869, it was incorporated for a third time. The oldest records under this incorporation are signed by "P. Saunders, mayor." Ozark has two banks, two newspapers, a telephone exchange, electric light and waterworks, a flour mill, foundries and machine shops, sawmills, mercantile establishments, modern public school buildings, and in 1920 reported a population of 1,262. Four coal mining companies have offices here.

PARIS

In the spring of 1874 Jesse D. Waddill, who owned the land where Paris now stands, employed a surveyor to lay off a town. Logan County had been created three years before and it was Mr. Waddill's ambition to have his town made the county seat, which was done soon after the plat was filed. It was incorporated on February 8, 1879. Paris is now the eastern seat of justice, Booneville being the western. It is on the Arkansas Central and Fort Smith, Subiaco & Rock Island railroads, has two banks, two newspapers, two flour mills, a telephone exchange, electric light, a nursery, a foundry and machine shop, a broom factory, several well stocked stores, a cotton seed oil mill, and is the headquarters for ten coal mining companies. The population in 1920 was 1,740, a gain of 243 in ten years.

PARKIN

Parkin is situated on the Memphis & Bald Knob division of the Missouri Pacific Railroad in the eastern part of Cross County. It is a comparatively new town, the outgrowth of the sawmill industry that grew up in that region after the railroad was built. It has a bank, several sawmills, a handle factory, cooperage works, a newspaper, good public school building, and in 1920 reported a population of 1,378. It was not incorporated in 1910.

PIGGOTT

This town, which is the eastern county seat of Clay County, is located at the junction of the St. Louis Southwestern and the Butler County railroads, on the eastern slope of Crowley's Ridge and adjacent to the St. Francis Valley, one of the richest agricultural districts in Arkansas. Piggott grew up after the railroads were built and was incorporated on August 15, 1891. It has two banks, flour mill and grain elevator, electric light and waterworks, a telephone exchange, a newspaper, several sawmills and woodworking concerns, a large

nursery, two cotton gins and several department stores. The population in 1920 was 2,016, a gain of 866 in ten years. In 1900 the population was only 597. These figures show Piggott to be a growing town.

POCAHONTAS

There is a tradition that long before Arkansas Territory was created, French traders would ascend the Black River in their birch bark canoes and trade with the Indians where Pocahontas now stands. That tradition no doubt accounts for its Indian name. The town was laid off in the early part of the year 1836 by R. S. Bettis and Thomas S. Drew, afterward governor, and the same year was made the county seat of Randolph County. It was incorporated in 1854.

Pocahontas has two banks, two newspapers, a telephone exchange, a flour mill, sawmills, hub, spoke and handle factories, a brick factory, department stores, electric light and waterworks, modern public school buildings and in 1920 reported a population of 1,806.

PRESCOTT

On the main line of the Missouri Pacific Railroad, ninety-six miles southwest of Little Rock, is Prescott, the county seat of Navada County. The town is also the terminus of a short line of railway called the Prescott & Northwestern, running to Highland, Pike County. It was laid out in 1873 and was incorporated on October 6, 1874. The first newspaper was started in 1875 and the second in 1878. Prescott has three banks, three newspapers, large lumbering interests, a telephone exchange, mercantile houses handling all lines of goods, electric light plant and waterworks owned by the municipality, modern public schools and a population of 2,691 in 1920.

ROGERS

In March, 1881, Benjamin F. Sikes, owner of the land where the Town of Rogers now stands, employed a surveyor to lay off a town, which was named in honor of C. W. Rogers, at that time general manager of the St. Louis & San Francisco Railroad, who encouraged the founding of the town. John Cox built the first house after the town was platted and opened a saloon. The second building was erected by Lowry & Scroggins, who opened a general store and kept the post office therein. A hotel soon followed.

Rogers is about six miles southeast of Bentonville, at the junction of two lines of the St. Louis & San Francisco railway system. It was incorporated on May 28, 1881, when it was only about three months old. It has four banks, three newspapers, waterworks, electric light, sewer system, a canning factory, three fruit evaporators, two flour mills, an ice and cold storage plant, nurseries, a candy factory, department stores, a broom factory, several sawmills, modern public school buildings, a creamery, churches of all the leading denominations and a number of handsome residences. The population in 1920 was 3,318, an increase of 498 in ten years.

SEARCY

This town was laid off in 1837 and was soon afterward made the county seat of White County. It was named for Richard H. Searcy, one of Arkansas' early judges and prominent lawyers. It was incorporated on September 29, 1891, and in 1900 reported a population of 1,995. In 1920 the population was 2,836. Searcy is located near the center of the county, at the junction of the Missouri & North Arkansas and the Searcy & DeValls Bluff division of the Rock Island railroads, and it is also the terminus of a short line known as the Doniphan, Kensett & Searcy Railroad. Galloway College is located here.

Searcy has electric light and power, waterworks, the Rock Island Railroad shops, a cotton seed oil mill, two newspapers, sawmills and other woodworking concerns, an ice and cold storage plant, Government stone quarries, and is the banking and trading point for a large part of the county.

SILOAM SPRINGS

Near the western boundary of the state in Benton County is the picturesque Town of Siloam Springs. It was laid out in March, 1880, by J. V. Hargrove and was at first called Siloam City. On May 28, 1881, it was incorporated. Mr. Hargrove built the first house and opened a store. The springs in the vicinity soon became known for the curative properties of the waters and the number of visitors increased, particularly after the completion of the Kansas City Southern Railroad, which runs through the town. Siloam Springs has two banks, two flour mills, foundries and machine shops, an ice and cold storage plant, two newspapers, electric light and waterworks owned by the municipality, a telephone exchange, sawmills and department stores, and in 1920 reported a population of 2,569.

SPRINGDALE

The first building on the site of Springdale, in the northern part of Washington County, was a Baptist Church, which was erected in 1842 and named "Shiloh." After the Civil war (in July, 1868), Rev. John Holcombe laid out the Town of Shiloh and a store was opened there by R. S. Coon. A post office was established in 1875 and the name was then changed to "Springdale." B. E. Putnam was the first postmaster. The town grew slowly until 1881, when the St. Louis & San Francisco Railroad was built, and before the close of that year it was incorporated. Springdale is a banking town, with a newspaper, three canning factories, three fruit evaporators, a grape juice factory, an ice and cold storage plant, electric light and waterworks, a flour mill, sawmills, mercantile concerns and a number of minor business enterprises. The population in 1920 was 2,263.

STAMPS

The incorporated Town of Stamps is situated in the northeastern part of Lafayette County, at the junction of the Louisiana & Arkansas and St. Louis

Southwestern railroads. It grew up after the railroads were built and first appears in the United States census as an incorporated town in 1900, when the population was 1,021. In 1920 it had grown to a town of 2,564. Stamps has several large sawmills, a shingle factory, an ice and cold storage plant, a weekly newspaper, electric light and waterworks, a good public school system. It is the principal commercial and banking town in that section of the county.

THORNTON

This town is in the northern part of Calhoun County, at the junction of the St. Louis Southwestern and the Thornton & Alexandria railroads. It grew up after the building of the St. Louis Southwestern and first appears in the census reports of 1910 as an incorporated town. The population then was 611, and in 1920 it was 1,312, an increase of 115 per cent in ten years. Thornton has a bank, large lumbering interests, an ice and cold storage plant, box and veneer factories, mercantile concerns, public schools, etc.

TRUMAN

Near the northern border of Poinsett County, about fifteen miles northeast of Harrisburg, is the Town of Truman. It is on the St. Louis & San Francisco Railroad that runs between Memphis and Jonesboro and grew up after the railroad was built. It does not appear as an incorporated town in the census reports until 1920, when the population was 2,598. Its principal industry is lumbering and the manufacture of cooperage material, though it has a bank, an ice factory, electric light, a modern public school building and is a trading center for a large farming district.

WALNUT RIDGE

This town is the eastern seat of justice of Lawrence County. It is situated at the junction of the Missouri Pacific and the St. Louis & San Francisco railroads, 121 miles northeast of Little Rock. It was laid out in 1873 by the chief engineer of the St. Louis, Iron Mountain & Southern Railroad Company (now the Missouri Pacific) and a depot was built. The town was named for the rolling surface, then covered with walnut timber. It was incorporated on August 31, 1880. The population in 1920 was 2,226.

Walnut Ridge claims to have one of the finest systems of waterworks in the state, an electric light and power plant, which furnishes current to Hoxie, Imboden, Black Rock, Pocahontas and Portia, and power for operating the electric railway between Walnut Ridge and Hoxie. The town has two banks, a cotton compress, a cotton seed oil mill, two newspapers, sawmills, hub and spoke factory, an ice factory, Baptist, Catholic, Christian Science, Methodist and Presbyterian churches, with fine buildings, modern public schools, department stores, opera house, wholesale houses, etc.

WARREN

Warren is the county seat of Bradley County, which was named for Capt. Hugh Bradley (See Bradley County). When the county was divided into townships one of them was named for I. H. Pennington, a son-in-law of Captain Bradley. In 1842 a town was laid off in this township and was named "Warren," for a colored body servant of Mr. Pennington, to whom he was very much attached. In April, 1843, it was made the seat of justice. On April 8, 1851, Warren was incorporated. During the Civil war the municipal government became ineffective and on April 8, 1880, the town was reincorporated.

Warren is situated a little northeast of the center of the county and is the terminus of three railway lines—the McGehee & Warren branch of the Missouri Pacific, the Warren & Saline River, and the Warren & Ouachita Valley, which connects with the Rock Island at Banks. It has two banks, two newspapers, electric light and waterworks (the water supply comes from deep artesian wells), a cotton seed oil mill, a large cotton warehouse, foundries and machine shops, department stores, an ice and cold storage plant and several minor business enterprises. Twelve lumber companies operate at Waren and in the immediate vicinity, and it is claimed that a carload of lumber is shipped every fifteen minutes the year round. Six denominations have churches in the town and the public schools are conducted according to modern methods. The population in 1920 was 2,145.

WEST HELENA

Although a separate corporation, West Helena is practically a manufacturing suburb of Helena. It appears as an incorporated town in the United States census reports for the first time in 1920, when the population was 6,226. Fifteen lumber and cooperage companies have establishments in West Helena, manufacturing pine and hardwood lumber, staves, headings, veneers, wagon materials, boxes, crates, etc. The town also has public schools and churches, mercantile establishments, etc., and is connected with the City of Helena by an electric railway.

WILMAR

This town is located in the western part of Drew County, on the McGehee & Warren division of the Missouri Pacific Railroad, sixteen miles from Monticello, the county seat. It grew up after the building of the railroad and was incorporated on May 8, 1899. Wilmar is a lumbering town, five lumber companies operating there. It has a bank, a number of good stores, a telephone exchange, a public school, electric light, etc., and in 1920 reported a population of 1,034.

OTHER TOWNS

The division of towns on the basis of 1,000 inhabitants is somewhat arbitrary and was made merely as a matter of convenience. Scattered over Arkansas are many incorporated towns with a population of less than 1,000. Some of these towns are of as much historic and industrial importance as or more than several of those described in this and the preceding chapter. A description of those towns will be found in connection with the county in which they are located.

CHAPTER LIII

BENCH AND BAR OF ARKANSAS

ORIGIN OF CIVIL LAW—PURPOSE OF THE COURTS—THE LAWYER AS A CITIZEN—TERRITORIAL COURTS—LIST OF JUDGES—RIDING THE CIRCUIT—STATE COURTS—CONSTITUTIONAL PROVISIONS—SUPREME COURT—FIRST JUDGES—CHIEF JUSTICES—ASSOCIATE JUSTICES—CIRCUIT COURTS—CHANCERY COURTS—MINOR COURTS—UNITED STATES COURTS—THE WESTERN DISTRICT—THE ARKANSAS BAR—PROMINENT EARLY LAWYERS—STATE BAR ASSOCIATION.

Civil law made its appearance as soon as men began to realize that they were dependent upon each other, and that some system of rules was necessary for the protection of person and property, so long as such rules did not abridge the rights of the individual or come in conflict with the common interest. The legislator and the attorney were therefore among the earliest agents of the world's civilization. At first the laws were few in number and of such a character that they could be easily interpreted. No doubt the method of the primitive courts were crude, when compared with the judicial systems of the present day. As civilization progressed, as the occupations and interests of the people grew more varied, as new lands were discovered and populated, commerce began to carry the arts, ideas and customs of one country to another, the laws became more complex and were arranged into codes. A fairly good history of any country might be compiled from its statutes and court decrees.

The law is a jealous as well as an old profession. It demands of the judge on the bench and the attorney at the bar alike a careful, conscientious effort to secure the administration of justice—"speedy and efficient, equitable and economical." Within recent years a great deal has been said and written about the law's delays and the necessity for judicial reform. Doubtless some of the criticisms have been well founded and that improvements might be made to advantage in our judicial system. Unfortunately, many persons, lacking in discrimination, have condemned the entire system because a judge here and there has failed to measure up to the proper standard, and the entire legal profession has been branded by these unthinking persons as one of trickery, merely because a few attorneys, more intent in winning fees than in winning an honorable reputation, have adopted the tactics of the shyster or pettifogger.

Charles Dickens, the great English novelist, said some rather caustic things about the English Chancery Court in connection with the celebrated case of Jarndyce vs. Jarndyce, and held up to ridicule such lawyers as Dodson & Fogg, Sampson Brass and Uriah Heep. Yet he recognized the fact that the fault lay with the individuals rather than with the judicial system, for in some of his works he places the lawyer and jurist among the most honored members of English society. So, when the citizen of the United States feels inclined to

criticize his court, let him bear in mind that the founders of the republic were sincere in their efforts to provide courts for the impartial enforcement of the laws, and that many of the greatest men in our national history were members of the legal profession.

John Marshall, one of the early chief justices of the United State Supreme Court, was a man whose memory is still revered by the American people, whose legal opinions are still quoted with confidence and respect by judges and lawyers. Thomas Jefferson, James Monroe and Robert R. Livingston, who negotiated the Louisiana Purchase and gave to their country an empire in extent, were all lawyers. Daniel Webster, Henry Clay, Thomas H. Benton, Stephen A. Douglas, Salmon P. Chase, Abraham Lincoln, Alexander H. Stephens, Rufus H. Choate, Thomas M. Cooley and a host of others wrote their names permanently upon the pages of their country's history through their knowledge and interpretation of its laws, and all were men of unquestioned integrity and love of justice.

"To establish justice" was written into the Federal Constitution by the founders of the American Republic as one of the primary and paramount purposes of the government. They showed their wisdom in separating the functions of government into three departments—the legislative, the executive and the judicial—the first to enact, the second to enforce and the third to interpret the nation's laws. States have copied the Federal system, hence in every state there is a Legislature to enact laws, supreme and subordinate courts to interpret them, and a governor as the chief executive officer to see that they are fairly and impartially enforced.

TERRITORIAL COURTS

From 1819 to 1836, a period of seventeen years, the principal legal authority exercised over the region now comprising the State of Arkansas was that exercised by the United States courts. On March 2, 1819, President Monroe approved the act providing for a temporary government for the Territory of Arkansas. The next day, pursuant to that act, he appointed Charles Jouett, of Michigan, Robert P. Letcher, of Kentucky, and Andrew Scott, of Missouri, judges of the Arkansas Superior (or Supreme) Court.

These judges, with the governor or acting governor, constituted the legislative authority of the territory. From July 28 to August 3, 1819, they sat in their legislative capacity, adopted the laws of Missouri Territory for Arkansas, and divided the territory into two judicial circuits. Arkansas and Lawrence counties comprised the First Circuit, Clark, Hempstead and Pulaski counties, the Second Circuit. At the conclusion of the legislative session, Judges Jouett and Letcher left the territory. Robert Crittenden, acting governor, who it seems was fond of exercising the appointing power, appointed James Woodson Bates judge of the First Circuit, and Neil McLane of the Second. Judge Andrew Scott, returned to his old home at Potosi, Missouri, for the purpose of bringing his family to Arkansas. By virtue of his being one of the original appointees, he became chief justice of the Superior Court.

The first Territorial Legislature, composed of members elected by the people, created three judicial districts, or circuits. The three judges of the Superior Court each presided over a circuit and the three sitting together constituted the

Superior Court proper, with power to hear cases on appeal. For some time the courts for all the circuits were held at Arkansas Post, the territorial capital. The first session of court in the territory was held by James Woodson Bates on November 1, 1819. On the 20th of that month he was elected delegate to Congress and was succeeded on the bench by Stephen F. Austin. The first session of the full court was held at Arkansas Post in January, 1820, and the first session at Little Rock, the new territorial capital, was held in June, 1821. The judges at that time were Andrew Scott, Benjamin Johnson and Joseph Selden, though the last named was not present. Until the completion of the state house, the sessions of the court were held in the "Baptist meeting house."

Unfortunately, the records of the territorial courts have not been preserved and much that has been written concerning them is based upon hearsay and conjecture. From the best available authorities, the writer has compiled the following list of judges during the territorial period, with the approximate date when each was appointed: Charles Jouett, Robert P. Letcher and Andrew Scott, March 3, 1819; James Woodson Bates, August 3, 1819; Neil McLane, August 25, 1819; Stephen F. Austin, December, 1819 (resigned and was succeeded by Richard Searey); Benjamin Johnson, January 23, 1820; Joseph Selden, 1821; William Trimble, 1824; Thomas P. Eskridge, 1827. In 1828 Congress added a fourth judge to the Superior Court and James Woodson Bates was appointed; Edward Cross, 1830; Charles S. Bibb, 1832 (Judge Bibb spent only a few weeks in the territory and was succeeded by Alexander Clayton); Thomas J. Lacy, March 17, 1835; Archibald Yell, March 3, 1835.

When Arkansas Territory was created, Joshua Norvell, United States attorney for the Territory of Missouri, exercised the duties of that office for a few months. Then Acting Governor Crittenden appointed William Trimble. His appointment was approved by the President and he served until 1824, when he was appointed judge. Samuel C. Roane was then appointed United States attorney and held the position until a few months before Arkansas was admitted into the Union in 1836.

RIDING THE CIRCUIT

As the population increased and new counties were created, it became inconvenient for the people to have all their lawsuits tried at the territorial capital. Then the judge would travel on horseback to the various county seats in his circuit to hold court. On these excursions he would be accompanied by a number of lawyers, who either had been, or hoped to be, retained in some case of sufficient importance to return them a fee. There were not enough law books in the entire territory to constitute one library, such as the ordinary lawyer of the present day possesses, but each lawyer who "rode the circuit" carried in his saddlebags, along with a change of raiment, a few volumes of standard legal authorities. During the day, while the court was in session, all would be busy with complaints, rejoinders, pleadings, demurrers, etc., but the evenings were spent in social intercourse at the tavern, where the judge did not hesitate to join the attorneys in an occasional drink, and in rehearsing incidents of interest connected with the practice of law. Featherstonhaugh, the English traveler,

passed one night in a county seat during "court week," and relates the following story, as told by one of the lawyers present:

"Four culprits had broken jail at Little Rock, where they had been put preparatory to being tried in the district where they had committed their offenses. Three of them were charged with murder and the fourth with several cases of horse stealing, a crime at the head of all offenses there, since there is nothing manly in it, and nothing more inconvenient. Their counsel, for it was he who related the story to us, said that they had good friends and that he was well paid for defending them. As soon as he ascertained from his clients that they were all guilty, he arranged his plan for their defense. The place where they were to be tried consisted of a single house in the wilderness, which represented the future county town. The witnesses were on the spot, and all the appliances to constitute a court. Twelve men had been with some difficulty got to leave home and come to this place to perform the part of a jury. At the critical moment, however, one of these men was not to be found; and as a panel could not be formed, the judge stated the fact and asked what step the prosecuting attorney intended to take. The counsel of the accused, after many protestations of their innocence, and their strong desire to prove it without loss of time, now proposed to fill the panel 'de circumstantibus.' It so happened that the only circumstances were the three murderers and the horse stealer, so they put one of the murderers into the jury and first tried the horse stealer and acquitted him; then put the horse stealer into the panel and acquitted the murderer. By his sort of admirable contrivance the whole four were honorably acquitted and returned perfectly whitewashed into the bosom of society. The jury and the rest of the court also, having got rid of a tedious and unpleasant business, returned without delay to their respective homes."

Such miscarriages of justice as that related by Featherstonhaugh were the exception rather than the rule. While some of the territorial judges were men of mediocre ability, appointed more as a reward for services to their political party than for their legal ability, a majority of them were conscientious in the discharge of their official duties. Decisions rendered by them are still recognized as established precedents on certain points of law. "Riding the Circuit" gave the lawyers an opportunity to get acquainted and do some electioneering, as every lawyer of that day was a politician, with visions of a seat upon the bench, or perhaps in the halls of Congress. An Arkansas writer, referring to the old circuit riding days, says:

"Circumstances thus made the bench and bar as social a set as ever came together. To see them returning after their long journeyings, sunburned and weatherbeaten, having had but few advantages of the laundry or bath tub, they might have passed for a returning squad of cavalry in the late war. One eccentric character made it a point never to start with any relays to his wardrobe. When he reached home after his long pilgrimage it would be noticed that his clothes had a stuffed appearance. The truth was that when clean linen was needed he bought new goods and slipped them on over the soiled ones. He would often tell how he dreaded the return to his home, as he knew that after his wife attended to his change of wardrobe he was 'most sure to catch cold.'"

Occasionally some of the Superior Court judges previously mentioned would hold circuit court in some of the counties, but the judges who "rode the circuit"

regularly were Thomas P. Eskridge, Andrew Scott and Samuel C. Roane, in the first; Richard Searcy and James W. Bates, in the second; Samuel S. Hall, in the third; and Charles Caldwell, in the fourth.

STATE COURTS

The constitution of 1836 provided that "The judicial powers of this state shall be vested in one Supreme Court, in Circuit Courts, in County Courts and in Justices of the Peace: The General Assembly may also vest such jurisdiction as may be deemed necessary in Corporation Courts; and when they deem it expedient, may establish Courts of Chancery."

The judiciary system established under the above provision contained all the fundamental principles of the system in operation in 1921. Some changes have been made, the most important of which relates to the election of justices of the Supreme Court and the judges of the several circuit courts in the state. Under the constitution of 1836 these judicial officials were elected by the two houses of the Legislature in joint session.

Article VII, Section 1, of the constitution of 1874, reads as follows: "The judicial power of the state shall be vested in one Supreme Court; in circuit courts; in county and probate courts, and in justices of the peace. The General Assembly may also vest such jurisdiction as may be deemed necessary in municipal corporation courts, courts of common pleas, where established, and when deemed expedient, may establish separate courts of chancery."

Under both constitutions the Supreme Court was made to consist of three judges, but the constitution of 1874 provided that "When the population of the state shall amount to one million, the General Assembly may, if deemed necessary, increase the number of judges of the Supreme Court to five; and, on such increase, a majority of the judges shall be necessary to make a quorum or decision."

SUPREME COURT

On January 24, 1837, the Supreme Court was organized and began its first session. Daniel Ringo was chosen chief justice and Townsend Dickinson and Thomas J. Lacy were the associate judges. The court met in the northeast room of the state house, which was not yet completed. The furniture was of the plainest character and sawdust covered the floor instead of a carpet. Yet it is an open question whether Arkansas ever had a Supreme Court more conscientious in the performance of its duties than this first one, which met under such circumstances. A few words regarding these early judges may not be amiss.

Daniel Ringo, the first chief justice, was born in Kentucky about 1800, studied law in that state and was admitted to the bar. In 1820 he came to Arkansas and located in Clark County. He was clerk of that county from 1825 to 1830, when he removed to Washington and formed a partnership with George Conway. Later he was a partner of Edward Cross. In 1833 he located in Little Rock. He served as chief justice from 1836 to 1844. Upon the death of Judge Benjamin Johnson in 1849, he was appointed United States district judge, which

position he held until 1861. After the Civil war he practiced law until his death in Little Rock, September 3, 1873.

Judge Townsend Dickinson was a native of New York. He came to Arkansas in 1821, locating at Batesville. Two years later he was elected to represent Independence County in the Legislative Council, and in 1836 he was a delegate to the constitutional convention. He was a fluent speaker, knew the law, but possessed something of the spirit of the adventurer. It is said that his decisions were "brief, clear, pointed and very creditable." After serving a term as supreme judge he practiced law at Batesville until about 1851, when he returned to New York. It seems that he got into trouble there, went to Pennsylvania, then to New Orleans and finally to Texas, where he met his death by drowning while trying to cross a swollen stream.

Judge Thomas J. Lacy was probably the most popular of the justices constituting the first Supreme Court. Ringo has been described as a "man of incorruptible integrity, but dry and uninteresting." Dickinson was not a man to inspire confidence among the people, but Judge Lacy's kindness and forbearance made many friends. He was born in North Carolina and in 1832 was appointed one of the judges of the Superior Court of Arkansas Territory. In 1836 he was chosen a delegate to the constitutional convention from Monroe County and upon the admission of the state was chosen one of the supreme judges. At the expiration of his first term he was reëlected. He resigned in 1845 and went to New Orleans, hoping that a change of climate would improve his health, and died in that city soon after his arrival.

CHIEF JUSTICES

Following is a list of the chief justices of the Supreme Court, with the year in which each was elected or entered upon the duties of the office: Daniel Ringo, 1836; Thomas Johnson, 1844; George C. Watkins, 1852; Elbert H. English, 1854 (military occupation, 1863); T. D. W. Yonley, 1864; Elisha Baxter, 1864; David Walker, 1866 (Yonley, Baxter and Walker served under the Murphy constitution); W. W. Wilshire, 1868 (under the new constitution of that year); John McClure, 1871; Elbert H. English, 1874; Sterling R. Cockrill, 1884; Henry G. Bunn, 1893; Joseph M. Hill, 1904; Edgar A. McCulloch, 1909.

Without disparagement to any who have held this office, there are a few of the chief justices, who by long tenure of office, signal ability, or other circumstances, are entitled to special recognition. Thomas Johnson, the second chief justice, while not exceptionally brilliant as a lawyer, was a conscientious public official. He has often been confused with Judge Benjamin Johnson and other members of that family, but he was born in Maryland on December 29, 1809; came to Arkansas in 1834 and located at Batesville; was elected circuit judge in 1840 and held that office until 1844, when he was elected chief justice. In 1856 he was elected attorney-general for a term of two years. After that he engaged in farming near Little Rock until his death on March 25, 1878.

George C. Watkins, who became chief justice in 1852, was born in Shelbyville, Kentucky, November 15, 1815, and came with his father, Isaac Watkins, to Little Rock in 1821. He graduated at the New Haven (Conn.) Law School

in 1836 and the next years formed a partnership with Chester Ashley in Little Rock. His brother, Robert A. Watkins, was Arkansas' first secretary of state. In 1854 he resigned his seat upon the bench to engage in the practice of his profession. For a time just after the Civil war he was a partner of U. M. Rose. He died in St. Louis, Missouri, December 7, 1872.

Elbert H. English was chosen chief justice when Judge Watkins resigned. He was born in Alabama on March 6, 1816; studied law and was elected to the Legislature in his native state; came to Arkansas in 1844 and in the fall of that year was appointed reporter of the Supreme Court; was appointed chief justice upon the resignation of Judge Watkins, and held the office until ousted in 1863 by the Federal occupation of Little Rock. In 1874 Governor Baxter again appointed him chief justice and at the first election under the constitution adopted that year he was elected for a full term of eight years. At the expiration of his term he was reëlected, but died at Asheville North Carolina, September 1, 1884.

David Walker was born in Kentucky on February 19, 1806; was educated, studied law and was admitted to the bar in that state; came to Arkansas in the fall of 1830 and located at Fayetteville; was prosecuting attorney of the third circuit from 1833 to 1835; was a member of the constitutional convention of 1836; was elected to the state senate in 1840, and in 1848 was elected associate justice of the Supreme Court. In 1861 he was chosen president of the state convention which passed the secession ordinance. When the Murphy government was established near the close of the war, Judge Walker gave it his support and was elected chief justice in 1866. He was ousted from this office by the reconstruction policy in 1868, but in 1874 was elected one of the associate justices. He died on September 30, 1879.

W. W. Wilshire, the first and only chief justice under the constitution of 1868, was born in Illinois on September 8, 1830. In 1852 he went to California but returned to Illinois three years later, without the gold he expected to find, but rich in experience. Soon after that he began the study of law. In 1862 he organized a company which was mustered in as part of the One Hundred and Twenty-sixth Illinois Infantry, of which he was commissioned major. After the surrender of Vicksburg his regiment was ordered to Arkansas and formed a part of General Steele's army which occupied Little Rock in September, 1863. In 1865 he was appointed solicitor-general of Arkansas and in 1868 was made chief justice. At the time of his appointment to the office of solicitor-general he was a partner of Elbert H. English. He resigned as chief justice in February, 1871, and resumed practice. In 1872 he was elected to Congress, but was unseated near the close of his term in favor of Thomas M. Gunter. In 1874, although a Republican and a carpet-bagger, Judge Wilshire espoused the cause of the people and in 1876 was again elected to Congress. Upon the expiration of his term he located in Washington City, where he passed the remaining years of his life.

John McClure, who succeeded Judge Wilshire as chief justice, was a native of Ohio. During the Civil war he served as major of the Fifty-seventh Ohio Infantry and in 1865 settled in Arkansas County, Arkansas. In 1868 he removed to Little Rock, having been elected associate justice. In 1871 he became chief justice. Upon retiring from the bench he practiced law in Little Rock

until his death. He was a delegate from Arkansas County to the constitutional convention of 1868, which created a Supreme Court consisting of a chief justice and five associates. The constitution of 1874 returned to the old system of one chief justice and two associates.

Sterling R. Cockrill, who became chief justice upon the death of Judge English, was born at Nashville, Tennessee, September 26, 1847. He attended the military academy at Marietta, Georgia, and at the age of fifteen years enlisted in the Confederate army. During the last two years of the Civil war he was a sergeant of artillery in Gen. Joseph E. Johnston's forces. After the war he entered Washington College at Lexington, Virginia, and later attended the Cumberland University at Lebanon, Tennessee, graduating in both institutions. In 1870 he came to Little Rock, where he became associated with A. H. Garland in the practice of law. In November, 1884, he was elected chief justice for the unexpired term of Judge English and in 1888 was elected for a full term. He resigned in March, 1893, and resumed the practice of his profession. His death occurred on January 12, 1901. Judge Cockrill in February, 1872, married Miss Mary Ashley, a granddaughter of Chester Ashley, and from 1896 until his death his son, Ashley Cockrill, was his partner.

Joseph M. Hill, who was chief justice from 1904 to 1909, was born in North Carolina on September 2, 1864, a son of Gen. Daniel H. Hill, for several years president of the University of Arkansas. He was educated at the University of of law at Eureka Springs in 1883. Four years later he removed to Fort Smith, Arkansas, studied law, was admitted to the bar in 1883, and began the practice where in 1897, he became the senior partner of the law firm of Hill & Brizzolara. Before this partnership was formed he was associated with Monti H. Sandels, a former associate justice of the Supreme Court, in the compilation of Sandels & Hill's Digest, which was published in 1894. In 1909 he resigned his place as chief justice and resumed the practice of his profession at Fort Smith.

Edgar A. McCulloch, the present (1921) chief justice, came into the office upon the resignation of Judge Hill. He was born at Trenton, Tennessee, August 1, 1861, received an academic education, studied law and was admitted to practice in Arkansas in 1883. In 1904 he was elected associate justice; became chief justice in 1909; was reëlected in 1912 for a full term, and was again elected in 1920 for the term ending in January, 1929, which, if completed, will give him the distinction of the longest continuous service of any chief justice of Arkansas.

ASSOCIATE JUSTICES

The following list of associate justices, with the year when each was elected or entered upon the duties of the office, has been compiled from the reports of the secretary of state and the Arkansas Reports. It does not, however, take into account the reëlections, resignations, deaths, etc.: Thomas J. Lacy, 1836; Townsend Dickinson, 1836; George W. Paschal, 1842; William K. Sebastian, 1843; Williamson S. Oldham, 1845; Edward Cross, 1845; William Conway, B, 1846; Christopher C. Scott, 1848; David Walker, 1848; Thomas B. Hanley, 1858; Felix I. Batson, 1858; Henry M. Rector, 1859; Freeman W. Compton, 1859; Hulburt F. Fairchild, 1860; Albert Pike, 1864; John J. Clendenin, 1866;

Thomas M. Bowen, 1868; Lafayette Gregg, 1868; John McClure, 1868; William M. Harrison, 1868; John E. Bennett, 1871; Marshall L. Stephenson, 1872; Elhanan J. Searle, 1872; William M. Harrison, 1874; John T. Bearden, 1874; Jesse Turner, 1878; John R. Eakin, 1878; William W. Smith, 1882; Burrill B. Battle, 1885; Monti H. Sandels, 1889; Wilson E. Hemingway, 1889; Simon P. Hughes, 1889; William W. Mansfield, 1891; Carroll D. Wood, 1893; James E. Riddick, 1894; Edgar A. McCulloch, 1904; Jesse C. Hart, 1907; Samuel Frauenthal, 1909; William F. Kirby, 1910; Frank G. Smith, 1912; T. H. Humphreys, 1916.

At the beginning of the year 1922, the Supreme Court was composed of the following judges: Edgar A. McCulloch, chief justice, term expires in 1929; T. H. Humphreys, term expires in 1927; Carroll D. Wood, term expires in 1925; Jesse C. Hart, term expires in 1923; Frank G. Smith, term expires in 1929.

Of the associate judges, Williamson S. Oldham succeeded Judge Lacy in 1845. He was a native of Tennessee and was educated in that state. In 1835, when twenty-five years old, he located at Fayetteville, Arkansas; was elected to the Legislature in 1838 and again in 1842; became associate justice in 1845, but resigned in 1848 to run for Congress. Being defeated for the election he went to Austin, Texas, where he won fame as a lawyer and was elected to the Confederate Senate.

Edward Cross was elected associate justice in 1845 to succeed William K. Sebastian (See Sebastian County). Judge Cross was born in Tennessee on November 11, 1798. The following year his parents removed to Kentucky where he was educated and studied law. In November, 1826, he came to Arkansas, located at Washington and formed a partnership with Daniel Ringo. In 1832 he was appointed by President Jackson one of the judges of the Superior Court and in 1836 he was made surveyor of public lands. From 1838 to 1844 he was a member of Congress. Judge Cross was one of the promoters of the Cairo & Fulton Railroad and from 1855 to 1862 was president of the company. He died at his home near Washington on April 6, 1887. Cross County was named in his honor.

Christopher C. Scott was born in Virginia on April 22, 1807; was admitted to the bar in 1828; came to Arkansas in 1844 and located in Camden; was elected circuit judge in 1846, and in 1848 was appointed associate justice for the unexpired term of Judge Oldham, resigned. In 1850 he was elected for a full term, reëlected in 1858, but died on January 19, 1859, a few days after he entered upon his new term.

Freeman W. Compton was a native of North Carolina, studied law in that state and began practice at Greenville, Tennessee. In 1852 he settled in Camden, Arkansas, and in 1858 was elected associate justice, taking office in January, 1859. In 1866 he was again elected, but was thrown out of office under the reconstruction policy. He then practiced law in Little Rock until a short time before his death on November 20, 1892.

John J. Clendennin was born at Harrisburg, Pennsylvania, in 1813. He came to Arkansas in 1836 and Gov. James S. Conway appointed him as his private secretary. He served several terms as circuit judge; was attorney-general

from 1851 to 1856; was elected associate justice in 1866, but was ousted by the military commander of the Arkansas District. He died at Little Rock on July 4, 1876.

Jesse Turner was one of the early settlers of Van Buren. He was born in North Carolina on October 3, 1805; came to Arkansas in 1831; was elected to the Legislature in 1838; was appointed United States attorney for the western district in 1851; was a member of the state convention of 1861, and although a Union man, voted for the secession ordinance; was elected to the state Senate in 1866 and again in 1874, and in 1878 was appointed associate justice for the unexpired term of David Walker, resigned. He died at Van Buren on November 22, 1894.

John R. Eakin, who was elected to the Supreme Court in 1878, was born at Shelbyville, Tennessee, February 14, 1822; was educated at the Nashville University and in 1843 was admitted to the bar; located at Washington, Arkansas, in 1857; practiced law there and edited the Washington Telegraph from 1860 to 1865; was elected associate justice in 1878 and held the office until his death, which occurred at Marshall, Missouri, September 3, 1885. Judge Eakin was a forceful writer and his opinions as judge are still quoted with confidence by his profession.

Wilson E. Hemingway was born in Carrollton, Mississippi, January 4, 1854; was admitted to the bar in that town in 1874; came to Arkansas in 1883 and located at Pine Bluff; was city attorney of Pine Bluff from 1885 to 1889, when he was elected associate justice as one of the additional judges. When his term expired in 1893 he was elected for a full eight-year term, but resigned to resume the practice of law. He was at one time president of the Little Rock Traction and Electric Company.

Of the other associate justices, Thomas B. Hanley, Lafayette Gregg, Marshall L. Stephenson, Henry M. Rector, Albert Pike, W. K. Sebastian and Simon P. Hughes are mentioned elsewhere. Monti H. Sandels was associated with Judge Joseph M. Hill in the preparation of Sandels & Hill's Digest, and W. W. Mansfield was the compiler of the Digest of 1884. Judge Mansfield was a native of Kentucky and was admitted to the bar in that state in 1852. Early the next year he settled at Ozark, Arkansas. He was a delegate to the state convention of 1861 and the constitutional convention of 1874, and was otherwise prominent in state affairs. William F. Kirby's Digest was published in 1904. He was associated with John T. Castle in the preparation of the Digest that was published in 1916, and the same year was elected to the United States Senate.

CIRCUIT COURTS

Pursuant to the constitution adopted in 1836, Arkansas was divided into seven judicial circuits in 1840. The judges of these circuits, in numerical order, were: William K. Sebastian, Isaac Baker, Thomas Johnson, J. M. Hoge, John J. Clendennin, William Conway, B, Richard C. S. Brown. An eighth circuit was created in 1846, of which C. C. Scott was elected judge, but by the act of December 29, 1848, the seventh and eighth circuits were abolished and the state had only six districts until after the Civil war.

U. M. ROSE
Essayist and jurist of national distinction

Passing over the provisions relating to the courts in the constitutions of 1861, 1864 and 1868, as all were of short duration, the constitution of 1874 provided that "The circuit courts shall have jurisdiction in all civil and criminal cases, the exclusive jurisdiction of which may not be vested in some other court provided for by this constitution. * * * The state shall be divided into convenient circuits, each circuit to be made up of contiguous counties, for each of which circuits a judge shall be elected (for four years), who, during his continuance in office, shall reside in the circuit for which he shall have been elected."

Under this provision the state was divided into sixteen circuits. A seventeenth was added in 1894 and the eighteenth was created in 1911. The counties composing each circuit, as given in Crawford & Moses Digest of 1921, with the judges in the several circuits at that time, were as follows:

First—Lee, Phillips, St. Francis, White and Woodruff, J. M. Jackson, judge, residence, Helena.

Second—Clay, Craighead, Crittenden, Cross, Greene, Mississippi and Poinsett. This circuit is divided into two divisions. R. E. L. Johnson, of Paragould, is judge of the first and R. H. Dudley, of Piggott, is judge of the second.

Third—Independence, Jackson, Lawrence and Stone. Dene H. Coleman, of Batesville, judge.

Fourth—Benton, Carroll, Madison and Washington. W. A. Dickinson, of Bentonville, judge.

Fifth—Conway, Johnson, Pope and Yell. A. B. Priddy, of Danville, judge.

Sixth—Perry and Pulaski. This circuit is divided into three divisions, presided over by John W. Wade, Guy Fulk and Archie House, respectively. All the judges live in Little Rock.

Seventh—Grant, Hot Spring and Saline. W. H. Evans, of Benton, is judge in this circuit.

Eighth—Clark, Hempstead, Lafayette, Miller and Nevada. G. R. Haynie, of Prescott, judge.

Ninth—Howard, Little River, Pike, Polk and Sevier. James S. Steele, of Ashdown, judge.

Tenth—Ashley, Bradley, Chicot, Cleveland, Dallas and Drew. Turner Butler, of Hamburg, judge.

Eleventh—Desha, Jefferson and Lincoln. W. B. Sorrells, of Pine Bluff, judge.

Twelfth—Scott and Sebastian. John Brizolara, of Fort Smith, judge.

Thirteenth—Calhoun, Columbia, Ouachita and Union. C. W. Smith, of Camden, judge.

Fourteenth—Boone, Cleburne, Marion, Newton, Searcy and Van Buren. J. M. Shinn, of Harrison, judge.

Fifteenth—Crawford, Franklin and Logan. James Cochran, of Paris, judge.

Sixteenth—Baxter, Fulton, Izard, Randolph and Sharp. J. B. Baker, of Melbourne, judge.

Seventeenth—Arkansas, Faulkner, Lonoke, Monroe and Prairie. George W. Clark, of Conway, judge.

Eighteenth—Garland and Montgomery. Scott Wood, of Hot Springs, judge.

CHANCERY COURTS

The first chancery court in Arkansas was created in 1855, mainly for the purpose of handling the litigation growing out of the old Real Estate Bank. H. F. Fairchild, afterward associate judge of the Supreme Court, was the first chancellor. The court was located at Little Rock and was known as the Pulaski Chancery Court. In the constitution of 1874 it was provided that the court should continue in existence until abolished by law, or the business then pending should be disposed of or transferred to other courts. The same constitution also provided that until the General Assembly might deem it expedient to establish chancery courts, the circuit courts should have jurisdiction in matters of equity, etc.

Arkansas in 1921 consisted of twelve chancery districts. These districts, with the chancellors then in office, were as follows:

First—The counties of Lonoke, Pulaski and White. Chancellor, John E. Martineau.

Second—The counties of Ashley, Bradley, Chicot, Desha and Drew. E. G. Hammock, of Dermott, chancellor.

Third—The counties of Garland, Grant, Hot Spring, Montgomery and Saline. J. P. Henderson, of Hot Springs, chancellor.

Fourth—The counties of Arkansas, Cleveland, Jefferson, Lincoln, Monroe and Prairie. Chancellor, John M. Elliott, of Pine Bluff.

Fifth—Cross, Lee, Phillips, St. Francis and Woodruff counties. A. L. Hutchins, of Augusta, chancellor.

Sixth—The counties of Clark, Hempstead, Howard, Little River, Miller, Nevada, Pike, Polk and Sevier. James D. Shaver, chancellor.

Seventh—The counties of Calhoun, Columbia, Dallas, Lafayette, Ouachita and Union. J. Y. Stevens, of Magnolia, chancellor.

Eighth—Baxter, Cleburne, Fulton, Izard, Independence, Jackson, Lawrence, Randolph, Sharp and Stone counties. Chancellor, Lyman F. Reeder, of Batesville.

Ninth—Conway, Faulkner, Johnson, Perry, Pope and Yell counties. Jordan Sellers, of Morrillton, chancellor.

Tenth—The counties of Crawford, Scott, Sebastian, Franklin and Logan. J. V. Bourland, of Fort Smith, chancellor.

Eleventh—The counties of Benton, Boone, Carroll, Madison, Marion, Newton, Searcy, Van Buren and Washington. Chancellor, Benjamin F. McMahan, of Harrison.

Twelfth—Clay, Craighead, Crittenden, Greene, Mississippi and Poinsett counties. Archer Wheatley, of Jonesboro, chancellor.

MINOR COURTS

In each county of the state there is a county court, which has jurisdiction in the matter of levying taxes, and in all matters pertaining to the construction or repair of roads, bridges, etc., the operation of ferries, the care of paupers, the apprenticeship of minors, the punishment of vagrants, and in the disbursement of money for county purposes. The court is presided over by the county judge,

who is elected by the people for a term of two years. This judge is also the judge of probate and has exclusive original jurisdiction in matters relative to the probate of wills, the settling of the estates of deceased persons, and in all matters pertaining to executors, administrators, guardianships, and the care of persons of unsound mind.

Justices of the peace are elected in the several townships of the state—one justice to every 200 qualified voters—but each township is entitled to at least one justice. They have jurisdiction in matters relating to contracts, where the amount involved does not exceed one hundred dollars, and in certain other cases Justices are required to sit with the county judge in the levying of county taxes, and in making appropriations for county expenses. Such courts are called "quorum courts."

In addition to the county and quorum courts, municipal corporation courts have been established in a number of cities. They have concurrent jurisdiction with justices of the peace in civil and criminal matters, etc.

UNITED STATES COURTS

When Arkansas was admitted into the Union in 1836 a Federal District Court was established at Little Rock. Benjamin Johnson was appointed judge by President Jackson. He was born in Scott County, Kentucky, on January 22, 1784, studied law and was admitted to the bar in his native state. Soon after Judges Jouett and Letcher left Arkansas Territory, Mr. Johnson was appointed to a place on the bench of the Territorial Superior Court by President Monroe. He held this position until Arkansas became a state, when he was appointed Federal district judge, as above stated. He continued in that position until his death on October 2, 1849. Judge Johnson was a man well grounded in the law, sincere in rendering his opinions, and was not too proud to reverse a decision when he found out he was wrong. This occurred only once, however, during his long career as judge in Arkansas. That was in connection with some Spanish land grant cases, when in 1831 he overruled his decision of 1827.

On September 8, 1811, Judge Johnson married Miss Matilda Williams of Scott County, Kentucky. One of his sons, Robert Ward Johnson, was a member of Congress from 1847 to 1853, and 1855 was elected to the United States Senate. Another son, Richard H. Johnson, was for years prominently connected with Arkansas journalism, and a daughter, Juliette, became the wife of Ambrose H. Sevier. Judge Johnson was a brother of Richard M. Johnson, who served with distinction in the War of 1812 as colonel of the Kentucky Mounted Riflemen and was elected Vice President of the United States in 1836.

Upon the death of Judge Johnson, Daniel Ringo was appointed Federal district judge by President Taylor and served until the breaking out of the Civil war. In 1864 Henry C. Caldwell was appointed to the office by President Lincoln. Judge Caldwell was born in Marshall County, Virginia, December 4, 1832. When four years of age his parents removed to Iowa, where he grew to manhood and acquired a good, practical education. He was admitted to the bar in 1851. When the war began he was commissioned major of the Third Iowa Cavalry and was promoted to colonel. It was while in command of his regiment that he came to Little Rock with General Steele's army in September, 1863.

Coming upon the bench while the war was still in progress, it can readily be imagined that his lot was not a happy one. He was looked upon as a carpet-bagger, but his straightforward course, his ideas of justice and right, overcame all prejudices in time and he became a popular judge, both with members of the bar and the general public. It was Judge Caldwell who gave to a certain class of mortgages the name of "Anaconda mortgages"—a name which stuck to them. In one of his decisions he upheld the right of working men to organize for their protection, a decision which so pleased the trades unions that labor leaders wanted to nominate him for President.

When he first came to the position of Federal district judge he was required to hold court at Little Rock and Helena. Arkansas had not then been divided into two districts and he was likewise ex-officio judge of what is now the western district, which required him to hold court at Fort Smith until the western District was organized in 1871. After that he continued as judge of the eastern district until 1891, when President Harrison appointed him judge of the Eighth United States Circuit Court, including the states of Arkansas, Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, North and South Dakota, Utah and the Indian Territory. He continued to reside in Little Rock until 1900. In 1903 he retired from the bench and died in Los Angeles, California, February 15, 1915.

Judge John A. Williams succeeded Judge Caldwell in the eastern district. He was a man of ability and filled the position creditably for nearly ten years, or until his death at Pine Bluff in 1900. Shortly after his death Jacob Trieber, the present (1921) incumbent, was appointed. He is too well known to need further comment here.

THE WESTERN DISTRICT

Sessions of the Federal District Court in the western part of the state began as early as 1851. In May, 1871, Arkansas was divided into two districts and Judge William Story was appointed judge of the western district. Prior to this time the sessions of the court had been held at Van Buren. Judge Story continued to hold court there until 1875, when Fort Smith was made the judicial headquarters of the district. About that time Judge Story retired from the bench and was succeeded by Isaac C. Parker.

Judge Parker was born in Belmont County, Ohio, in 1838. In 1859 he located at St. Joseph, Missouri, where he began the practice of law. In 1863 he was elected circuit judge and the next year was a presidential elector on the Republican ticket, although orginally a Democrat. Early in 1875 he was appointed chief justice of Utah Territory, but at the request of Senators Clayton and Dorsey, President Grant transferred him to Arkansas. He entered upon the duties of judge on the 10th of May and remained upon the bench until his death at Fort Smith on November 17, 1896, a period of a little more than twenty-one years.

The building of railroads into the Indian Territory brought to the frontier a multitude of lawless vagabonds and adventurers, to whom Judge Parker gave the name of "criminal intruders." During the time he occupied the bench no fewer than sixty-five deputy United States marshals were killed by this turbu-

lent element. Judge Parker's court acquired the reputation of having convicted and executed more murderers than any other court had ever done in the history of the world in a like period. This gave the people who did not know him reasons for charging him with unnecessary cruelty, though he was just the opposite. In the discharge of his duty he found it necessary "to hew to the line," even though it was not always a pleasant duty. His firmness bore fruit, for when he laid down the burden of life after twenty-one years of constant effort to improve conditions, there were few persons in his jurisdiction who did not have a wholesome respect for the law.

John H. Rogers succeeded Judge Parker. He was born in North Carolina on October 9, 1845. In 1852 his parents removed to Mississippi, where he was educated. When only sixteen years of age he enlisted in the Confederate army and served until General Johnston's surrender at Greensboro, North Carolina, in April, 1865. He then studied law and was admitted to the bar at Canton, Mississippi, in 1868. In January, 1869, he located at Fort Smith, where he later became a partner of William Walker. In 1877 he was elected circuit judge and in 1882 was elected to Congress. He was three times reëlected, declining a nomination in 1890. In the fall of 1896 he was appointed district judge by President Cleveland and remained on the bench until his death on April 17, 1911.

Frank A. Youmans, a native of Missouri, was appointed to succeed Judge Rogers. He graduated at the University of Missouri in 1884, when he was twenty-three years of age, studied law with Judge Battle at Little Rock, and was admitted to the bar in 1885. The following year he began practice in Fort Smith and was for eight years United States district attorney before being appointed to the judgeship.

THE ARKANSAS BAR

At the first session of court held at Arkansas Post on November 1, 1819, William O. Allen, Henry Cassidy, Samuel C. Roane, Alexander S. Walker and Perley Wallis, all of whom had been admitted to practice in the Territory of Missouri, were admitted to the bar. This was the beginning of the Arkansas Bar and from that time to the present it has occupied a prominent place in the legal annals of the nation. The names of R. C. S. Brown, James P. Clarke, Augustus H. Garland, W. P. Grace, J. N. Cypert, A. B. Greenwood, Robert C. Oden, and a host of others are known to lawyers everywhere as strong, able men. These men are mentioned in detail on other pages of this history.

Luke E. Barber, who came to Arkansas from Maryland in 1841, had been admitted to the bar in his native state. In 1838 he was elected to the Legislature and in 1845 was appointed clerk to the Supreme Court, which position he held until his death in June, 1886, at the age of eighty years, except during the reconstruction period.

William Cummins, born near Louisville, Kentucky, in 1800, came to Little Rock in 1824 and began the practice of law. He was a member of the constitutional convention of 1836. At one time he was a partner of Absalom Fowler and later of Albert Pike. He died in 1843. His brother, Ebenezer Cummins, was also a lawyer of high standing.

William S. Eakin, a son of Judge John R. Eakin, read law with Garland & Cockrill in Little Rock and was admitted to the bar in 1879. He practiced at Perryville and Washington and was known as a lawyer of ability.

Absalom Fowler was a native of Tennessee. He came to Arkansas in 1833 (probably a little earlier). He was a delegate to the constitutional convention of 1836; was an acknowledged leader of the Whig party, and up to the time of his death in 1859 was a prominent figure in Arkansas affairs. As a lawyer he was identified with many important cases and was recognized as one of the best in the state.

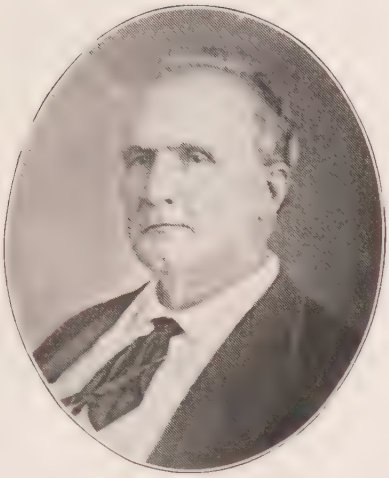
Robert S. Gantt came from Alabama in 1858 and settled in Prairie County. He was then twenty-eight years old and was admitted to the bar in Alabama before coming to Arkansas. During the Civil war he served as captain in the Fifth Arkansas Infantry. In 1865 he was elected attorney-general and in 1868 formed a partnership with E. H. and P. D. English, of Little Rock. He died in that city on November 30, 1871.

George W. Murphy, one of the leading criminal lawyers of Arkansas, was born in Tennessee, January 8, 1841; came to Arkansas in 1861; served in the Confederate army in a Tennessee regiment; then studied law at Hamburg, Arkansas, and was there admitted to the bar in 1866. He practiced at Hamburg and Hot Springs until 1891, when he came to Little Rock and formed a partnership with Thomas B. Martin. He was elected attorney-general in 1900 and reëlected in 1902. He died at St. Luke's Hospital, Little Rock, October 11, 1920.

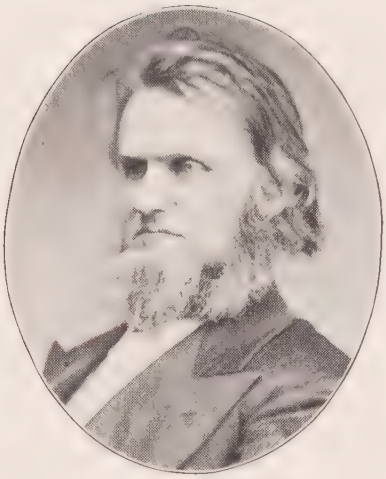
Greenfield Quarles, long a well known attorney of Helena, was born in Kentucky on April 1, 1847; came with his parents to Arkansas in 1851; served in the Confederate army until wounded and captured at the battle of Franklin, Tennessee, November 30, 1864; attended the Virginia Military Institute, where he graduated in 1870; read law with Tappan & Horner at Helena, and was admitted to the bar in 1871. He served as prosecuting attorney, as a member of the Legislature, on the Helena School Board for fifteen years, and was major of the First Arkansas Infantry in the Spanish-American war. He died at his home in Helena on January 14, 1921.

Grandison D. Royston, a lawyer of the old school, was born in Tennessee on December 9, 1809; came to Arkansas in 1832, locating first at Fayetteville; removed from there to Washington; was elected prosecuting attorney in 1833; was a delegate to the constitutional convention of 1836; was a member of the first State Legislature; served as United States district attorney under President Tyler; was elected a member of the Confederate Senate in 1861, and in 1874 was president of the constitutional convention—thirty-eight years after he had served as a member of the first constitutional convention. He died at Washington on August 14, 1889.

Samuel W. Williams was born in York District, South Carolina, August 23, 1828; came to Arkansas with his parents in 1842, his father, Rev. Aaron Williams, being one of the pioneer Presbyterian ministers. He studied law and began practice at Brownsville in 1852 as the junior partner of the firm of Totten & Williams. The next year he formed a partnership with his brother, W. L. D. Williams, which lasted until the death of the latter in 1860. When Elbert H. English was elected chief justice in 1854, he transferred his business to Mr. Williams, who then removed to Little Rock. During the Civil war he



GEN. GRANDISON D. ROYSTON
Distinguished pioneer lawyer



COL. SAMUEL W. WILLIAMS
Pioneer lawyer of distinction

AUGUSTUS H. GARLAND
Governor, United States Senator and Attorney General in President Cleve land's cabinet.

ABSALOM FOWLER
Pioneer lawyer

served for a time on the military board, then raised the Seventeenth Arkansas Infantry, of which he was lieutenant-colonel until 1862, when ill health compelled him to resign. His wise counsel and conservative attitude averted much trouble during the Brooks-Baxter war. In 1876 he was elected to the state senate, the only office he ever held, though he several times acted as special judge in both the circuit and Supreme Court. He died in Little Rock on March 14, 1900. His son, John E. Williams, was also a well known attorney.

This list might be prolonged indefinitely. Jordan E. Cravens, Poindexter Dunn, Lucien C. Gause, Samuel W. Peel and William F. Slemons, all of whom served as members of Congress, were eminent in their profession. In Little Rock the names of George A. Gallagher and Robert C. Newton, forming the firm of Gallagher & Newton; Samuel S. Hall; S. H. Hempstead; the firm of Stillwell & Wassell, composed of Joseph Stillwell and John Wassell; John M. Harrell and John M. Moore all occupy prominent places in the history of the bar. Then there were Marcus L. Bell, of Pine Bluff; John M. Bradley, of Warren; William Byers, of Batesville; Thomas B. Craighead, of Osceola; Gen. Daniel H. Reynolds, of Lake Village; Hugh F. Thomasson and William Walker, of Van Buren, Q. K. Underwood, of Helena, and many others whose fame extended beyond the borders of the state.

STATE BAR ASSOCIATION

The first attempt to organize a State Bar Association, of which the writer can find any record, was on November 24, 1837, when nineteen lawyers met in Little Rock and organized the "Bar Association of the State of Arkansas." These lawyers were: Chester Ashley, William McK. Ball, S. D. Blackburn, John J. Clendenin, John W. Cocke, William Conway, B, Edward Cross, P. T. Crutchfield, William Cummins, Absalom Fowler, Nathan Haggard, Samuel S. Hall, Samuel H. Hempstead, William B. R. Horner, Lemuel R. Lincoln, Albert Pike, William C. Scott, F. W. Trapnall and George C. Watkins. Mr. Ball was from Fayetteville, Mr. Haggard from Batesville and Mr. Horner from Helena. All the others were from Little Rock.

Upon signing the constitution, each member was required to pay a membership fee of $10, annual dues were fixed at the same amount, and the treasurer was authorized to expend the money, after association expenses were paid, in the purchase of law books. The last record obtainable of this association is that of a meeting held on January 15, 1838, when the president was directed to appoint a committee of three "to draft a petition to the Legislature, praying an appropriation for the procuring of a law library, for the use of the Supreme Court, and members of the bar licensed to practice therein, to be under the control and safe keeping of this association."

On March 15, 1882, a meeting was held at the office of Judge U. M. Rose in Little Rock, for the purpose of taking the necessary steps to organize a State Bar Association. Twenty-two lawyers were present, viz: B. B. Battle, M. W. Benjamin, B. C. Brown, Sterling R. Cockrill, C. S. Collins, George E. Dodge, Z. P. H. Farr, B. S. Johnson, John McClure, C. B. Moore, John M. Moore, George B. Rose, John M. Rose, U. M. Rose, W. L. Terry and Samuel W. Williams, of Little Rock; M. L. Bell and W. S. McCain, of Pine Bluff; T. C.

McRae, of Prescott; Charles Coffin, of Walnut Ridge; T. P. McGovern, of Jonesboro; and M. T. Sanders, of Helena.

M. L. Bell was called to the chair and M. T. Sanders was chosen secretary Judge U. M. Rose offered a resolution to the effect that the meeting deemed it important and proper to organize a State Bar Association, "to advance the science of jurisprudence, to promote the administration of justice, to uphold the honor of the profession and to encourage cordial intercourse among the members of the bar," etc., which was unanimously adopted. A sketch of Judge Rose, who offered this resolution, will be found in Chapter XXXIV. In 1882 he was recognized as one of the leading members of the Arkansas bar. He had practiced law in Batesville before coming to Little Rock; was appointed chancellor of the Pulaski Chancery Court in July, 1860; was active in assisting to organize the State Bar Association, of which he was a member during the remainder of his life.

After the adoption of the resolution a committee was appointed to draft a constitution and by-laws, and a call was issued to the attorneys of the state to meet in Little Rock on May 24, 1882, to perfect the organization.

The meeting of May 24, 1882, was held in the hall of the House of Representatives. All parts of the state were represented, the constitution and by-laws prepared by the committee were adopted, with some slight alterations, and an association with eighty-nine members was organized. M. L. Bell was elected president; Sterling R. Cockrill, secretary; George E. Dodge, treasurer; and a vice president was elected from each of the twelve judicial circuits, to wit: First, W. W. Howes, Forrest City; Second, T. P. McGovern, Jonesboro; Third, Charles Coffin, Walnut Ridge; Fourth, J. F. Wilson, Yellville; Fifth, George S. Cunningham, Dardanelle; Sixth, J. C. England, Lonoke; Seventh, W. S. Eakin, Perryville; Eighth, J. N. Crawford, Arkadelphia; Ninth, T. C. McRae, Prescott; Tenth, W. T. Wells, Monticello; Eleventh, W. P. Grace, Pine Bluff; Twelfth, Benjamin T. DuVal, Fort Smith.

Annual meetings have been held since the organization, and occasional called meetings for some special purpose. At these meetings various features of the law and practice are discussed and the social feature is not neglected, as the affair generally is concluded by a banquet or some other form of entertainment. The association has done much to inculcate a more fraternal feeling among the members of the bar, and it has been influential in securing the passage of laws for the general welfare.

CHAPTER LIV

THE MEDICAL PROFESSION

MEDICINE AN OLD PROFESSION—ANCIENT SYSTEMS—THE PIONEER DOCTOR—HOME-MADE REMEDIES—EARLY ARKANSAS PHYSICIANS—HOMEOPATHS—MEDICAL SCHOOLS—MEDICAL LEGISLATION—ARKANSAS STATE MEDICAL SOCIETY.

The practice of the healing art is almost as old as the human race. When the first man felt "out o' sorts" he doubtless sought for some remedy to relieve his distress, and, having found one, communicated its virtues to his neighbor. Slowly new discoveries were made, new remedies tested, which marked the beginning of a materia medica that through the subsequent centuries physicians and chemists have built up to its present high standard.

Every ancient nation, without collusion or consultation with others, developed a system of medicine. The Chinese were the first to recognize a class which might be called physicians, though the healing methods used would be regarded as of doubtful value today. The Chinese doctors knew nothing of anatomy, although they noted the action of the pulse without comprehending its real significance. The remedies they used constituted a strange conglomeration of substances from the animal, vegetable and mineral kingdoms—pulverized spiders, stones soaked in milk, etc. They used poultices, plasters and lotions over the seat of Pain and were no doubt the originators of massage.

The Egyptians had some knowledge of Anatomy, as may be seen in their art of embalming, by which human bodies have been preserved as mummies for centuries. Recent discoveries indicate that they had specialists in the practice of medicine.

Among the Hebrews disease was looked upon as a punishment for sin. The Levites were the only ones authorized to practice healing—"licensed physicians," so to speak. They had a limited knowledge of anatomy and performed some simple surgical operations.

Only the Brahmins were permitted to practice medicine in India, and they had to undergo a long course of training before being permitted to exercise their art. Demonology played an important part in the treatment of their patients, though drugs were given and some attention was paid to bathing, diet, etc., a feature absent in most of the ancient systems of medicine.

Chiron the Centaur is credited with being the first to establish a system of medicine among the Greeks. His pupils, Æsculapius, was regarded as the "god of healing" by the Greeks and Romans, the first shrine to him at Athens having been erected about 420 B. C. Some eighty years later Pythagoras and his followers introduced "the sacred period of medicine." This was followed by the "philosophical period," accredited to Hippocrates, who has been called the "Father of Medicine," though the famous Hippocratic oath was originated by his sons, Draco and Thessalus after his death.

Celsus, the first Roman writer on medicine, adhered closely to the teaching of Hippocrates until the advent of Galen, who lived from 130 to 201 A. D. and wrote over one hundred volumes, a few of which treated of anatomy. Galen's precepts were followed by physicians, with certain modifications, for several centuries.

The first scientific study of anatomy was made by Andreas Vesalius, who was born in Belgium in 1514. It is a pretty well established fact that he was the first physician to dissect a human body and it was charged that he began his dissection before life was extinct in the subject. For this he was sentenced to death by the Inquisition, but was saved through the intervention of Philip II of Spain. Vesalius was then about thirty-five years old and in 1550 he became physician to the court of Philip. His observations on anatomy were published soon afterward.

In 1540 Sir William Gilbert, physician to Queen Elizabeth, published the first work on medicine ever written by an English author. William Harvey, another English physician, was born in the latter part of the Sixteenth Century, graduated in medicine at Padua in 1602, and in 1616 published his discovery of the circulation of the blood. His announcement brought forth a storm of opposition and ridicule. It was known before that the blood moved through the veins, but it was the general belief that the arteries contained only air, as they were always found empty after death. Harvey lived long enough to see his theory accepted by physicians, and his original diagrams illustrating the circulation of the blood are carefully preserved by the Royal College of Physicians and Surgeons. He was not the only one who had to encounter ignorance and superstition in the progress of medical science.

Progress of the medical profession was "slow but sure" during the two hundred years following Harvey's discovery. But the Nineteenth Century saw many great improvements introduced. The germ theory of disease, as worked out by such physicians as Virchow, Lister and Pasteur, is now almost universally accepted. As a result serums, antitoxins, prophylactics and disinfectants by the score have made their appearance. Sulphuric ether was first used as an anesthetic by Doctor Morton in Boston in 1846. The next year chloroform was used for the same purpose by Simpson, of Edinburgh. Anesthetics and the Roentgen rays have in recent years been of incalculable value to surgeons. In fact, it keeps the practicing physician of the present day "on the jump" to keep up with the progress of his chosen profession.

Voltaire, the noted French philosopher and author, who lived from 1694 to 1778, defined a physician as "A man who crams drugs of which he knows little into a body of which he knows less." That definition might have applied to a certain class of French empirics in Voltaire's day, but the physician of the Twentieth Century is usually a man entitled to respect, both for his professional ability and his standing as a citizen.

THE PIONEER DOCTOR

One of the most welcome additions to the population of a new country is the physician, though some of the pioneer doctors would hardly be classed as "eminent" members of the profession in this year 1921. In many instances the

old-time doctor was not a graduate of a medical college. He obtained his medical education by "reading" with an established physician for a year or two and by assisting his preceptor in practice. When he felt that he knew enough to launch out for himself, he began to look about for a location and often found that a newly settled community offered the best opportunity to establish a practice before a competitor entered the field.

It must not be inferred, however, that all the pioneer physicians were of this type. Quite frequently an old practitioner with a well established reputation, caught by the wanderlust or believing that some new settlement offered a better location in which to expand, would "pull up stakes" and cast his lot with an infant commonwealth.

Before the arrival of the doctor in a new community, or in neighborhoods quite distant from the nearest physician, it was not an unusual thing for the settlers to rely upon themselves for the treatment of all simple complaints. Nearly every home had its collection of roots, barks and herbs. Old residents can probably recall the various teas, bitters and decoctions they were forced to swallow in their childhood, or the poultices and plasters that "Grandma" or "Aunt Jane" would prepare with scrupulous care and apply with more solemnity than the present day surgeon cuts open a man and robs him of his appendix. There seems to have been a prevalent opinion that the more unpleasant a medicine could be made to the taste the more likely it was to effect a cure. But one thing can be said of the "home-made" remedies. If they did no good they did no harm, and many youngsters to whom they were administered grew into robust men and women.

Whether the pioneer doctor was a graduate physician or one without a diploma, his labors were the same. His practice generally extended over a large territory and he must be ready to answer calls day or night. He did not use an automobile to visit his patients as most physicians do now. Even if the automobile had been invented it would have been practically worthless in a country where there were no roads worthy of the name, so the early doctor found a trusty horse the safest and surest means of conveyance. Sometimes he carried a lantern to enable him to find the path through the woods. There were no drug stores to fill prescriptions, consequently the doctor carried a stock of medicines with him. For this purpose he had a pair of "pill-bags," a contrivance consisting of two stout leather boxes, divided into compartments to accommodate vials of different sizes and connected by a broad leather strap that could be thrown across the saddle, one of the boxes hanging on each side of the horse.

Dr. William Duncan, an early Indiana physician, who was engaged in active practice in the Wabash Valley about the time Arkansas was admitted into the Union, says in his "Reminiscences" (published in 1880): "Every doctor carried a goodly supply of English calomel, some aloes and Dover's powder, opium in some form or another, sweet spirits of nitre, a preparation of Spanish fly for 'drawing blisters,' and in districts where ague was prevalent, Peruvian bark constituted an esesntial element of his materia medica. Sulphate of quinine was as yet too rare and costly for general use in practice. As blood-letting was considered of first importance in cases of malignant fever, he carried one or more lancets, in order to be ready for any emergency. Such was the equipment of the average physician forty or fifty years ago. Looking back to those days, the

wonder is not that he saved the lives of so many of his patients, but that he saved any at all."

Although this was written by an Indiana physician, there is little doubt that Doctor Duncan's comments would apply with equal force to the pioneer doctors of Arkansas. Those comments are rather sarcastic and perhaps they are too severe, but being a member of the profession he could say things that would hardly be forgiven in a layman. Besides the lancets mentioned by Doctor Duncan, there was another surgical instrument carried by most of the early physicians. That was the "turnkey," used for extracting teeth, for to this extent he was dentist as well as doctor of medicine. Possibly the turnkey did not include "all the horrors of the Inquisition," but it certainly was capable of inflicting torture on the patient during the process of extracting an aching tooth. There is a story of a negro barber who was engaged in shaving a man with a dull razor. When the customer complained that the razor pulled, the darkey replied: "Yassir, boss, I know it pulls some, but if the razor handle don't break dat beard am bound to come off." So it was with the turnkey. Once fastened upon a tooth, if something did not break that tooth was bound to come out.

Yet, with all their limitations, many of the old-time doctors were men of ability, solicitous for the recovery of their patients, conscientious in their practice, and with a sincere desire to place their profession upon a higher plane. As a rule they were conservative without being nonprogressive, unselfish enough, when they discovered a new method of treatment, to impart a knowledge of the discovery to their fellow practitioners, each in this way adding his mite to the general advancement. Many of them, after practicing for years without a diploma, attended a medical college and acquired the long coveted degree of M. D. In this day of specialists, when it often costs more to equip a physician's office than it did to acquire a medical education a century ago, could one of the early physicians come back and enter the office of one of these specialists he would stand aghast at the array of microscopes, operating tables, X-ray machines and other scientific apparatus, though he might not realize that in his humble way he had aided in bringing about this great progress.

In the new country the doctor was one of the leading citizens. In his rounds he learned much of what was going on locally and, without being a gossip, became a purveyor of news. He was always a welcome visitor in the homes, whether there was sickness in the family or not, and on such occasions the choicest bit of fried chicken and the juciest piece of pie found their way to the doctor's plate. Often he was the only man in the settlement who subscribed for and read a newspaper, which gave him a better knowledge of public affairs. For this reason he was frequently called upon to fill some office of trust and responsibility. It is quite likely that as many American boys have been named for the family physicians as for the nation's great statemen.

EARLY ARKANSAS PHYSICIANS

Matthew Cunningham and Robert A. Watkins, both of whom have been referred to in the chapter on the City of Little Rock, were among the earliest physicians in Arkansas. Dr. James N. Menefee, generally mentioned as "Nimrod" Menefee, was one of the early physicians, coming to Arkansas soon after

the territory was created. On December 28, 1824, he married Miss Harriet Lewis, daughter of Gen. William Lewis, a veteran of the War of 1812 and one of the early settlers at Pecannerie. Doctor Menefee was surgeon for Judge Andrew Scott in his duel with Judge Selden. From this and services in similar encounters, he acquired the reputation of "the great dueling surgeon." He was a large landowner, particularly in Conway County, and in 1831 donated a tract for a county seat, which was namet Lewisburgh, after his father-in-law. In 1836 he was elected the delegate from Conway County to the constitutional convention, and was several times elected to the Legislature.

A description of Little Rock, written in 1830, says there were then five doctors in the town—Matthew Cunningham, Robert A. Watkins, John H. Cocke, Bushrod W. Lee, John T. Fulton and John R. Conway. Doctor Lee removed to Arkansas County and was delegate from that county to the constitutional convention of 1836. Doctor Cocke was county judge from 1832 to 1834, and was elected one of the representatives from Pulaski County to the first State Legislature.

Dr. Alden Sprague came to Little Rock about 1831. He was born at Bedford, New Hampshire, February 3, 1800, graduated in the medical department of Dartmouth College. In the summer of 1832 he published in the Gazette a series of articles entitled "On the Diseases of Arkansas," the first appearing in the issue of June 27, 1832. He was probably the first Arkansas physician to analyze the conditions and make known the facts. In 1835 he was one of the committee to prepare a petition to the Legislature asking for the incorporation of Little Rock as a city, and he was at one time grand master of the Masonic fraternity in the state. He died at Little Rock on April 26, 1847.

Dr. Lorenzo Gibson came from Tennessee in 1833 and located at Little Rock, where he was one of the leading practitioners for many years and was also active in political affairs. He was one of the Whig party leaders; was elected to the Legislature in 1838 and again in 1840, and was prominently identified with public matters in other ways. He died on September 28, 1866.

His son, Dr. Lorenzo P. Gibson, was born in Little Rock on August 18, 1855; was educated at St. John's College at Little Rock, graduating in 1875; then studied for a time in the Louisville Medical College and in 1877 graduated at the Jefferson Medical College, at Philadelphia. He was a member of the Little Rock Board of Health during the yellow fever epidemic of 1879; was demonstrator of anatomy in the medical department of the University of Arkansas from 1879 to 1902; served as secretary and president of the Arkansas Medical Society, and was for years surgeon for the St. Louis, Iron Mountain & Southern Railroad. He died at Little Rock on December 29, 1919.

Dr. A. W. Webb located in Chicot County about 1834. After practicing there for several years he removed to Little Rock, where he and his son were murdered one stormy night in September, 1866. The doctor was a widower and lived alone with his son. The object of the assassin was evidently robbery.

In 1840 Dr. James A. Dibrell located at Van Buren. He was born in Nashville, Tennessee, August 15, 1817, studied medicine with Dr. Thomas R. Jennings, of Nashville, and in 1839 graduated in the medical department of the University of Pennsylvania. With some army surgeons stationed at Fort Smith, he organized the first medical society in Arkansas, if not in the entire Southwest,

about 1845. His death occurred at Van Buren on February 23, 1897, after fifty-seven years as a practicing physician in that city. In 1886 he was elected president of the Arkansas Medical Society. He was twice married—first to Ann Eliza Pryor, of Tennessee, and after her death in 1854 to Jane Emily Pryor, a sister of his first wife. Five children were born to the first marriage and four to the second. Three of his sons—James A., Edwin R. and Matt S.—became physicians.

James A. Dibrell, Jr., was born at Van Buren on August 20, 1846; graduated in the medical department of the University of Pennsylvania in 1870; was for fifteen years physician to the Arkansas Deaf and Dumb Institute; served as dean of the medical department of the University of Arkansas, in which he was professor of anatomy; and was prominent in the work of various medical societies of which he was a member.

Matt S. Dibrell, the only one of the three sons living in 1921, was born in Little Rock on December 3, 1866; graduated in the medical department of the University of Arkansas in 1889; during the second administration of President Cleveland was a member of the pension examining board; has held the position of surgeon to the Missouri Pacific Railroad Company; and has been active in the work of the Arkansas Medical Society and the American Medical Association.

Dr. Roderick L. Dodge was born in Vermont in 1808; graduated at Dartmouth College in medicine in 1834; became a surgeon in the army and was stationed at Forts Gibson and Coffee; located in Little Rock in 1842 and began the practice of medicine; conducted a drug store for about thirty years; was one of the organizers of the Little Rock Gas Company, and during the latter years of his life was identified with the banking business. He died in 1893. His son, George E. Dodge, was also a practicing physician in Little Rock.

Dr. Charles E. Nash was born in the City of St. Louis in 1826, a son of Dr. John T. Nash. He studied medicine with Dr. R. L. Dodge, of Little Rock, and in 1849 received the degree of M. D. from the University of St. Louis. He then practiced at Helena until 1858, when he removed to his plantation just across the river in Mississippi. During the war he had charge of the Confederate Marine Hospital at Salem, Alabama. In 1884 he returned to Helena and two years later located in Little Rock, where he practiced his profession until a short time before his death. He was the author of "Biographical Sketches of Gen. Pat. Cleburne and Gen. T. C. Hindman."

Dr. Jesse M. Reynolds was one of the early physicians of Faulkner County. He married Eliza Grimes and two of the sons, John H. and Seth C., are well known to Arkansans. The former is president of Hendrix College and the latter is a prominent attorney. Rev. James A. Reynolds, another son, is an Episcopal minister. A story is told of Doctor Reynolds which illustrates some of the difficulties of the country physician. When he was well advanced in years, but still in active practice, he attempted to ford a swollen stream with his horse and buggy and came very near losing his life. His family admonished him that he was getting too old to take such risks and insisted that he provide a driver to accompany him on his rounds, telling him that he was liable to get drowned some day unless he did. "Well," laconically remarked the doctor. "I have been pulling against the current all my life, and if I ever get drowned I would advise you to look up stream for my body."

URN CONTAINING ASHES OF MOSES TRAN CLEGG, NOW IN MUSEUM OF ARKANSAS HISTORY COMMISSION

Dr. William A. Cantrell, a native of Nashville, Tennessee, came to Little Rock in 1852, when he was about twenty-five years of age and shortly after he had received his degree of M. D. from the Medical College of Louisville, Kentucky. In February, 1852, he married Miss Ellen M. Harrell, who bore him five daughters and two sons. He died on December 28, 1903. His wife was the author of the "Annals of Christ Church Parish."

Dr. William E. Wisdom, of De Queen, is credited with having been the first physician to suggest the possible transmission of infantile paralysis by the common stable fly. He reached this conclusion after a series of original experiments. Taking the larvae of flies which were known to have eaten of the carcasses of chickens that had died of the disease known as "limber-neck," he fed these larvae to other chickens, dogs, etc. In almost every instance complete or partial paralysis was produced in the fowl or animal that had partaken of the larvae.

The above all practiced medicine in Arkansas prior to the Civil war. In the sketches of the various counties mention of other early physicians will be found. Among the doctors of later years, Joseph T. Clegg was born in Jefferson County, Arkansas, February 21, 1850, received the degree of M. D. from the University of Nashville in 1873, and practiced at Siloam Springs. His son, Moses Tran Clegg, born in Jefferson County on September 1, 1876, was educated at the University of Arkansas and became one of the world's leading bacteriologists. While serving in the Philippine Bureau of Science, under the auspices of the United States Government, he successfully grew the leprosy bacillus, being the first man to accomplish this important feat. The Government sent him to the Honolulu Leprosarium to continue his work and he served as assistant director of the laboratory for five years. He then spent some time in San Francisco and New York in his scientific work, when he was sent back to Honolulu as superintendent of the Queen's Hospital. He died at Honolulu on August 9, 1918. Although not a regular physician, he was a member of various medical societies on account of his scientific discoveries, particularly in connection with leprosy, cholera and the bubonic plague.

HOMEOPATHS

One of the earliest homeopathic physicians, of whom anything definite can be learned, was Dr. E. D. Ayres, who located in Little Rock in the fall of 1859. From April, 1864, to October, 1866, he held the office of state treasurer, after which he resumed the practice of his profession.

Dr. John B. Brooks graduated at the New York Homeopathic College in 1863 and served in an Illinois infantry regiment during the Civil war. About 1875 he located at Hot Springs, where he built up a lucrative practice as a homeopath. For about twenty years he was a member of the board of pension examiners.

Dr. John F. Ellis was born at Elkhart, Indiana, July 16, 1856; graduated at the New York Homeopathic College in 1879 and ten years later located at Eureka Springs. After that he took postgraduate courses in some of the leading homeopathic institutions of the country and became connected with a number of business enterprises in Eureka Springs.

Dr. Jay B. Ellis, brother of the above, was born at Waukegan, Illinois,

May 13, 1852. In 1891 he received his degree of M. D. from the Hahnemann Medical College at Cleveland, Ohio, and soon afterward became associated with his brother at Eureka Springs. In 1896 he removed to Fort Smith. The homeopathic school of medicine is represented by successful practitioners in many of the towns and cities and the state has recognized this school by establishing a board of homeopathic medical examiners. The same is true of the eclectic school of medicine.

MEDICAL SCHOOLS

In 1879 a number of Arkansas physicians, recognizing the necessity for better means of obtaining a professional education in the state, met at Little Rock and organized a medical college. The trustees of the University of Arkansas (then known as the Arkansas Industrial University) accepted the medical school thus established as the medical department of that institution. A three-story brick building on the south side of Second Street, between Main and Louisiana, was purchased and the school opened in the fall of that year. Among the members of the faculty were: Dr. P. O. Hooper, president; Drs. James A. Dibrell, Jr., general and surgical anatomy; Edwin Bentley, institutes and practice of surgery; John J. McAlmont, materia medica and therapeutics; Roscoe G. Jennings, clinical surgery and dermatology; A. L. Breysacher, obstetrics and diseases of women and children; Lorenzo P. Gibson, demonstrator of anatomy; Claiborne Watkins, physical diagnosis and clinical medicine; James H. Lenow, diseases of the genito-urinary organs; James H. Southall, practice of medicine; T. E. Murrell, ophthalmology and otology; W. G. Miller, chemistry; Louis R. Stark, gynecology.

In 1886 Doctor Hooper was succeeded as dean by Dr. James A. Dibrell, who served until his death in 1904, when Edwin Bentley was appointed acting dean until the election of Dr. James H. Lenow in 1906. In 1911 the school was officially made the medical department of the University of Arkansas. The first appropriation, one of $36,000, for its support was made by the Legislature of 1913, when Dr. Morgan Smith was chosen dean. Since that time appropriations have been made regularly by the General Assembly. Dr. Isaac Folsom, of Lonoke, left a bequest of $20,000, which was used to erect the Isaac Folsom clinic. Each year sees additions to the equipment and the college is constantly gaining in reputation among members of the profession.

MEDICAL LEGISLATION

In 1831 the Legislature passed an act "to regulate the practice of medicine and surgery." It provided for a board of "eight learned doctors," who should have power to make rules and regulations for the practice of the profession, examine candidates and issue licenses, the fee for which was $15, and provided that no one should practice medicine or surgery in the state for a period of ten years without the consent of the board, etc.

Governor Pope vetoed the measure on the grounds that it was premature and impolitic; that it conferred too much power upon eight men, which power was liable to abuse; that its application to those already established in practice in

Arkansas was retrospective, tyrannical and oppressive; that the penalties provided were excessive; that the bill was in violation of Section 14 of the Organic Act; and that it imposed a heavy and oppressive tax upon physicians, not for the public good but for the exclusive benefit of a few privileged individuals.

Since that day numerous laws have been enacted relating to the practice of medicine. Under the act of February 17, 1903, three state examining boards were created—one known as the "State Medical Board of the Arkansas Medical Society;" one known as the "Homeopathic State Medical Board," and one known as the "Eclectic State Medical Board." Each of these boards is composed of seven members—one from each congressional district—appointed by the governor. Each board is required to meet twice each year to examine and license applicants. The secretaries of these three boards, respectively, in 1921 were: Dr. T. J. Stout, of Brinkley; Dr. Scott C. Runnells, of Little Rock; and Dr. C. E. Laws, of Fort Smith.

ARKANSAS MEDICAL SOCIETY

The first medical society in Arkansas was the one organized by Dr. James A. Dibrell and the army surgeons at Fort Smith about 1845. This society has already been referred to in the early part of this chapter. Following it, some attempts were made to organize local medical societies in several counties, but none of these early societies was long-lived.

Probably the most important of these early organizations was the "Medical Association of Little Rock and Pulaski County," which was organized about the close of the Civil war. Dr. Lorenzo Gibson was president of this society at the time of his death in 1866. An old copy of the constitution and by-laws bears the names of P. P. Burton, E. V. Deuell, S. D. Dodge, J. G. Halliburton, George C. Hart, W. Haythornewhite, P. O. Hooper, Robert B. King, R. G. Jennings, J. J. McAlmont, S. C. Murphy, C. V. Meador, John Kirkwood, C. Peyton, M. K. Starke, C. M. Taylor, W. Thompson and Claiborne Watkins.

On November 21, 1870, delegates from a number of county medical societies met in Little Rock and organized the State Medical Association. At that meeting Dr. J. M. Holcombe, of Jefferson County, presided, Drs. E. V. Deuell and M. C. Boyce acting as secretaries. A constitution and by-laws were adopted and the following officers were elected: Dr. P. O. Hooper, president; E. R. DuVal, W. P. Hart and S. W. Jones, vice presidents; E. V. Deuell and Julian C. Feild, recording secretaries; Claiborne Watkins, corresponding secretary; J. B. Bond, treasurer. Following is a list of the charter members from the counties represented:

Arkansas, C. M. Taylor; Ashley, J. A. Owens; Conway, J. H. Harroll and W. A. C. Sayle; Crawford, James A. Dibrell, Sr.; Dallas, F. M. Compton; Drew, W. H. Barry; Hempstead, M. C. Boyce, W. C. Carrington, W. P. Hart and W. C. Smith; Hot Spring, George W. Lawrence; Independence, W. M. Lawrence; Jefferson, J. M. Holcombe and S. W. Jones; Mississippi, J. F. Davies, W. A. Ferring and J. H. Hazzard; Pulaski, J. B. Bond, Edward Cross, E. V. Deuell, James A. Dibrell, Jr., S. D. Dodge, P. O. Hooper, R. G. Jennings, P. T. Mask, M. K. Starke and Claiborne Watkins; Sebastian, E. R. DuVal and Julian C. Feild; Union, O. P. Greenwood; Washington, W. B. Welch.

In October, 1875, a new constitution and by-laws were adopted and the name was changed to the "State Medical Society of Arkansas." The new constitution was signed by 217 members and the following officers were elected: Dr. W. B. Welch, president; Drs. Albert Dunlap, Randolph Brunson, J. P. Mitchell and E. T. Dale, vice presidents; Dr. R. G. Jennings, secretary; Dr. A. L. Breysacher, treasurer. Since that time the growth of the society has been steady and it now numbers over one thousand members. In July, 1890, the society began the publication of a monthly "Journal" with Dr. Lorenzo P. Gibson as managing editor. The present Journal of the society began in June, 1904. It is published monthly, records the proceedings of the meetings of the society and the papers read, besides many contributed articles on the treatment of various diseases, sanitation, etc. In its columns are also published the proceedings of the various county societies, thus enabling the physicians of the state to maintain a close relationship with each other.

CHAPTER LV

CHURCH HISTORY

HANDICAPS IN WRITING CHURCH HISTORY—THE CATHOLICS—EARLY MISSIONS—DIOCESE OF LITTLE ROCK—THE METHODISTS—DIVISION OF THE CHURCH—THE CHURCH MILITANT—THE PRESBYTERIANS—DWIGHT MISSION—THE FIRST CHURCHES—THE PRESBYTERIES—THE BAPTISTS—EPISCOPALIANS—OTHER DENOMINATIONS—REV. TIMOTHY FLINT.

To write the religious history of a state—especially a state whose settlements date back a century—is one of the most difficult tasks of the historian. The pioneers who founded the early church organizations are no longer alive to tell their story; church records have been lost or destroyed; pastors have come and gone, and in whatever direction the writer turns for information, he finds himself confronted by many obstacles.

Moreover, those who are members of a church organization are probably acquainted with the leading facts connected with their own church, but they are not especially interested in the history of other denominations, and those who do not belong to any church are not particularly interested in the history of any denomination. What is said in this chapter is therefore for the purpose of showing the general progress of religion in Arkansas, without attempt to give a detailed account of any particular congregation. Many of these are referred to in the sketches of the towns and cities in which they are located. The first to carry the banner of their church into what is now the State of Arkansas were

THE CATHOLICS

Spain was a Catholic nation when Columbus discovered America. Wherever the Spanish explorers went, they were accompanied by one or more priests. In the ceremony of taking possession of a newly discovered country a cross—the emblem of the Catholic Church—was raised and somewhere in the ceremony were the words "His Catholic Majesty." One of these crosses was set up by Hernando de Soto on the St. Francis River in 1541. The priests that accompanied his expedition gave some sort of desultory religious instruction to the Indians, but the Spaniards were too intent upon the discovery of rich mines to give much thought to the spiritual welfare of the natives.

The French Catholics were more zealous and consistent in their missionary work among the red men. In July, 1673, Father Jacques Marquette, a Jesuit, visited the Quapaw villages near the mouth of the Arkansas River. At the same place Father Zenobe Membre, a Franciscan priest who accompanied La Salle's expedition down the Mississippi River celebrated mass on March 13,

1682. Father Membre also gave religious instruction to the Quapaw chiefs and paved the way for the missionaries who followed after him. The story of the settlement of Arkansas Post in the spring of 1686 has already been told. On November 20, 1689, Henri de Tonti, the Catholic commandant at Fort St. Louis (near the present City of La Salle, Illinois), granted Father Claude Deblon, superior of the Jesuits in Canada, a site for a mission near Arkansas Post. The deed to this grant was probably delivered to Father Claude Allouez, then Jesuit chaplain at Fort St. Louis.

Soon after the establishment of the first French settlements along the Gulf coast, communication was opened by way of the Mississippi River and the Great Lakes with the Jesuit missions of Canada and priests became regular visitors to the Osage and Quapaw tribes. Among these early missionaries were Fathers Davion, Montigny and Foucault, all of whom were at Arkansas Post before 1700. In 1721 Father Charlevoix, the Jesuit historian, visited the Post. Following him were Fathers du Poisson, De Guyenne, Cavette and Meurin.

In 1773 the Jesuit order was suppressed by Pope Clement XIV, but it was reinstated by Pope Pius VII in 1814. Notwithstanding Pope Clement's order of 1773, Father Peter Gibault, a Jesuit, was a missionary in Arkansas from 1792 to 1794 (perhaps later), and the archives of the Little Rock diocese show that he solemnized marriages and performed baptisms. After Father Gibault, Father Paul de St. Pierre came from Ste. Genevieve, Missouri, as a missionary to the Indians of Arkansas. Under the French domination the archbishop of Quebec governed the Louisiana Territory. Louisiana was ceded to Spain in 1762 and from that time until 1800 the province was under the control of the archbishop of Cuba.

Passing over the period of the Spanish domination, the Treaty of Paris, signed April 30, 1803, which transferred Louisiana to the United States, provided that the inhabitants should "be maintained and protected in the free enjoyment of their liberty, property and the religion which they profess."

Under the provisions of this treaty the work of building up the Catholic Church was commenced. In 1805 Pope Pius VII constituted Bishop Carroll, of Baltimore, administrator of the Floridas and Louisiana. This territory was erected into a diocese on September 24, 1815, and Rt. Rev. William Douberg was consecrated bishop. He took up his residence at St. Louis on January 5, 1818. Rev. John Rosati was consecrated coadjutor to Bishop Douberg on July 14, 1820, with residence at St. Louis. To him was given the episcopal care of Arkansas, Missouri and the western part of Illinois. On July 18, 1826, the State of Louisiana was erected into a diocese, with William Douberg as bishop, and he removed to New Orleans. All the rest of the Louisiana Purchase was erected into the diocese of St. Louis, with Rt. Rev. John Rosati as bishop.

DIOCESE OF LITTLE ROCK

In 1843 the diocese of Little Rock was erected. It embraced the State of Arkansas and the Indian Territory, and on March 10, 1844, Rt. Rev. Andrew Byrne was consecrated bishop. He was born in Navan, Ireland, December 5, 1802. When about eighteen years of age he came with Bishop England to America and was ordained priest at Charleston, South Carolina, November

FIRST CHRISTIAN CHURCH, LITTLE ROCK, BETWEEN THIRD AND FOURTH STREETS

FIRST PRESBYTERIAN CHURCH FORMERLY NORTHWEST CORNER OF SCOTT AND FIFTH STREETS, LITTLE ROCK

CATHOLIC CHURCH FORMERLY ON NORTHEAST CORNER OF CENTER AND SECOND STREETS, LITTLE ROCK. ONCE USED AS PULASKI COUNTY COURTHOUSE

11, 1827. A few years later he was transferred to New York, where he became known as a preacher of great power. When he came to Little Rock to take charge of his new diocese he brought with him Fathers Corry and Donohue, who were the only priests in the state for some time. Bishop Byrne labored industriously to build up the church, establish schools, etc., until his death at Helena on June 10, 1862.

During the Civil War church work was practically paralyzed and the diocese of Little Rock was without a bishop until February 3, 1867, when Rt. Rev. Edward Fitzgerald was consecrated. Bishop Fitzgerald was born in Limerick, Ireland, in 1833. He came to America while still a young man and prepared himself for the priesthood at the seminary of "The Barrens," Missouri, and at seminaries in Ohio and Maryland. In 1857 he was ordained and was assigned to St. Patrick's Parish, Columbus, O., where he remained until consecrated bishop of Little Rock. He landed in Little Rock on March 17, 1867, and during the year visited the most prominent cities and settlements in the state, traveling on horseback, by steamboat and stage. Probably the most noted event that occurred during his bishopric was the building of St. Andrew's Cathedral at Little Rock, the cornerstone of which was laid on July 7, 1878. It was dedicated on November 29, 1881. Bishop Fitzgerald also built several other churches in the state and established a number of schools. He died at St. Joseph's Infirmary, Hot Springs, February 21, 1907.

Rt. Rev. John B. Morris, who succeeded Bishop Fitzgerald, was born in Hendersonville, Tenn., June 29, 1866. He was educated at St. Mary's College in Kentucky and the American College at Rome, and on June 11, 1892, was ordained to the priesthood by Cardinal Parrochi. Returning to Tennessee, he was connected with St. Mary's and St. Joseph's churches at Nashville until 1894, when he was appointed chancellor of the Nashville Diocese. On June 11, 1906, he was consecrated coadjutor to Bishop Fitzgerald, arrived in Little Rock on the 19th, and upon the death of Bishop Fitzgerald became bishop. As he is still in that position his work is too well known to need further comment here.

A history of the Catholic schools is given in an earlier chapter. The church also maintains five hospitals in the state, to-wit: St. Vincent's, Little Rock, opened in 1888; St. Joseph's, Hot Springs, established in 1888; St. Edward's, Fort Smith, which was first located in the old buildings of St. Anne's Convent in 1906, but in 1921 work was commenced on a new building; St. Bernard's, Jonesboro, which was opened in 1896, and the Michael Meagher Memorial Hospital, Texarkana, opened in 1916.

THE METHODISTS

Methodism was founded in England in 1738 by John and Charles Wesley. It was introduced in America about 1760 by Robert Strawbridge, who had been converted by the Wesleys. He located in Frederick County, Maryland, where he held services in his own house until enough of his neighbors became interested to organize a society and build a log meeting house—the first Methodist Church in what is now the United States. During the next half century the doctrine gradually spread to all parts of the country. In 1800 William Patterson, a Methodist, settled in what is now Phillips County. Four years later

the Western Conference admitted him to the ministry and in 1806 he was appointed to the Claiborne Circuit in Louisiana. It is not certain that he ever preached to the early settlers of Phillips County, and on the other hand it is not known that he did not hold services of some kind.

In 1815 the Tennessee Conference made the "Spring River Circuit" a part of the Missouri District, but left it to be supplied. This was the first movement toward the establishment of the Methodist Church in what is now the State of Arkansas. The circuit was supplied before the close of the year by Rev. Eli Lindsey, who lived on the Strawberry River and had preached there several times during the year 1814. Mr. Lindsey attended all the house-raisings, log-rollings and frolics and after the labors and festivities were over would ask permission to say a "few words." Then he would preach a short sermon and invite those present to attend regular services at his next appointment. His circuit extended from the Little Red River northward to the Missouri line. There were no church buildings and he preached wherever he could find a suitable place. At the close of the year 1815 he reported a membership of ninety-five in his circuit. It is said that on one occasion while he was preaching some dogs "treed" a bear near the house in which he was conducting service. The Rev. Eli paused, listened to the baying of the dogs, and then announced: "This meeting is adjourned in order that the men folks may go out and kill that bear." The bear was soon dispatched, the men returned, when Eli "thanked God for men who could shoot and women who knew how to pray," after which he finished his sermon.

That part of the Tennessee Conference lying west of the Ohio and Mississippi rivers was organized as the Missouri Conference in 1816. The appointments for Arkansas were: Spring River Circuit, Rev. Philip Davis; Hot Springs Circuit, Rev. William Stephenson. These two circuits included all of the present state of Arkansas. At the close of the year the two circuit riders reported 190 members.

On September 6, 1822, the first conference for the District of Arkansas was held at the Ebenezer Camp Ground in Hempstead County. The licensed preachers in the district were: James Blackburn, Gilbert Clark, William Harned, Benjamin Ogden, Daniel Rawles, Joseph Reid, Salmon Ruggles, Thomas Tennant and John Tollett. John Scripps was presiding elder of the district, Gilbert Clark was chosen secretary of the conference, William Stephenson, Francis Travis and John Henry were chosen elders, and Green Orr was licensed to preach.

In 1836, the year in which Arkansas was admitted into the Union as a state, the General Conference of the Methodist Episcopal Church ordered the establishment of a new conference, to be called the Arkansas Conference, the first session of which was held at Batesville, Bishop Morris presiding. The members of the conference at its organization were: Thomas Bertholf, Fountain Brown, Henry Cornelius, John A. Cotton, Erastus B. Duncan, Jesse A. Guice, Robert Gregory, John N. Hamill, John Harrell, John L. Irwin, Charles J. Karney, Burwell Lee, Moses Perry, Charles T. Ramsey, Richmond Randle, William Ratcliffe, John H. Rives, Winfred B. Scott, A. D. Smythe, Sidney Squires, William Stephenson, W. H. Turnley, Lemuel Wakelee and Jacob Whitesides.

Among those who were admitted on trial was Rev. Andrew Hunter, who

was born in County Antrim, Ireland, in 1814 and came to the United States with his parents when he was but two years of age. His parents settled in Pennsylvania, where he attended the common schools and in 1833 united with the Methodist Episcopal Church. In 1835 he went to Missouri and taught school near St. Louis. The following year he was licensed to preach and his first labors were among the Choctaw Indians. He settled in Saline County in 1838, where he had charge of a circuit for one year. In 1840 he was made an elder at Little Rock; was made presiding elder of the Washington District in 1842; was subsequently presiding elder of the Batesville, Camden, Arkadelphia, Little Rock and Pine Bluff districts, and in 1844 he was one of the three delegates from Arkansas to the General Conference in New York which divided the Methodist Church into North and South. In 1866 he was elected to the State Senate from the district composed of Bradley and Dallas counties and was chosen president of the senate. He was one of the most popular Methodist ministers in Arkansas. He died at Little Rock in 1902.

Another pioneer preacher of the Methodist Church was Rev. John Henry, a native of North Carolina, who became a member of the church at an early age. In 1817 or 1818 he came to Arkansas and settled near Mount Prairie, Hempstead County. He had been licensed to preach before coming to Arkansas and some have tried to establish the claim that he preached the first Methodist sermon in the territory, or state. That honor, however, belongs to Rev. Eli Lindsey. What Lindsey was to Northern Arkansas, Henry was to the southern part of the state. The first Methodist "meeting house" in Hempstead County was called Henry's Chapel in his honor. He died at Center Point on September 17, 1872, in the ninety-third year of his age.

DIVISION OF THE CHURCH

In 1843 Bishop James O. Andrew married a woman who was the owner of several negro slaves. Under the laws of Georgia, the state in which the marriage took place, he had no power to liberate the slaves. As a matter of fact, he had no legal claim upon such slaves, as they were the property of his wife. When the General Conference of 1844 met in New York City, some of the northern delegates demanded that Bishop Andrew should be deprived of his episcopal powers and cease to travel as a bishop. It was contended that his connection with slavery, even indirectly, would render him "unacceptable" to the northern conferences. The northern delegates, being in the majority, carried their point, though the southern delegates protested against such arbitrary action.

Many of the delegates from both sections of the country advocated a division of the church. A plan of separation was agreed upon by a substantial majority and in May, 1845, delegates from the southern conferences met in Louisville, Ky., and organized the Methodist Episcopal Church, South. The Arkansas delegates to the General Conference of 1844, which authorized this division, were Andrew Hunter, J. C. Parker and William P. Ratcliffe. The Arkansas congregations indorsed the action of their delegates and from that time until the Civil war the Methodist Episcopal church, South, was the only form of

Methodism in the state, except a few small societies known as Protestant Methodists.

During the Civil War, after the northern part of the state was occupied by the Federal troops, the Northern Methodists gained a foothold in Arkansas. Some of the members of the Methodist Episcopal church, South, dissatisfied with their church relations, joined with soldiers who belonged to the northern branch and organized congregations in different parts of the state. The first annual conference of this branch was held in Little Rock in 1873, Bishop Bowman presiding.

THE CHURCH MILITANT

The pioneer preacher had to be a man who could "take care of himself" under all circumstances, otherwise he was not likely to achieve success. Among the early Methodist preachers was Rev. Jesse Griffin, a man of great physical strength, though of such a gentle disposition that he was difficult to arouse. Upon one occasion he was holding a meeting in a neighborhood where certain rough characters thought it great sport to disturb a religious meeting. One of these, who had been drinking a little too freely, interrupted the preacher and asked him to work a miracle. Mr. Griffin asked him to sit down and be still, but it was not long until the request was repeated.

"My dear sir," said Mr. Griffin, as he descended from the pulpit, "I can't perform miracles, but I can cast out devils," and suiting the action to the word, seized the fellow and unceremoniously threw him out of the house. After that he was seldom molested.

Another preacher who was able to "take care of himself" was Rev. Cornelius McGuire. On one of his circuits was a blacksmith, who professed to be an infidel, and who conceived it to be his duty to whip every preacher who came to that circuit. The result was that circuit riders would go several miles out of their way to avoid passing the blacksmith's shop. Not so with McGuire. On the date of his first appointment at the church nearest the shop, he came riding along on horseback singing a well known Methodist hymn. The smith ran out, stopped the horse by taking hold of the reins, and informed the rider that, if he were the new preacher, he must get down and take his licking. McGuire protested that he was a man of peace and wanted no trouble, but the smith persisted in his demands. McGuire finally dismounted—probably not as reluctantly as it appeared—and the smith, who was a powerful man, rushed upon him confident of an easy victory.

But the preacher was more of a pugilist than he looked. With one well directed blow he knocked his antagonist down, then pounced upon him and began pounding him severely. The blacksmith begged for quarter, but McGuire refused to let him up until he promised to go to the church and hear a sermon. A little later the assembled congregation were somewhat surprised to see the new minister approaching, accompanied by the blacksmith. A few weeks later the latter joined the church and in his talks at class-meetings, etc., would frequently refer to the fact that he had "religion actually pounded into him." Those days, however, are past. The ministers of the Methodist Church, now one of the strongest Protestant denominations in Arkansas, no longer find it necessary to fight their way into favor.

THE PRESBYTERIANS

The fact seems to be pretty well established that the first Protestant sermon in what is now the state of Arkansas was preached at Arkansas Post in 1811 by Rev. John P. Carnahan, a minister of the Cumberland Presbyterian faith. Mr. Carnahan subsequently became a resident of the Pyeatt settlement at Crystal Hill, where his daughter was married to Henry Pyeatt on February 10, 1820. This pioneer preacher conducted the first camp meeting in Arkansas. It was opened on Friday, May 24, 1822, and continued for five days, "with good results for the cause of Christianity." The meeting was held on the farm of Maj. John Pyeatt. Another camp meeting was held at the same place, beginning on May 15, 1825, in which Mr. Carnahan was assisted by Rev. Robert Sloane. The Cumberland Presbyterian Church in Little Rock placed in its house of worship a memorial window in honor of this pioneer preacher.

DWIGHT MISSION

Soon after the Cherokee Indians removed to Arkansas in 1818, Chief Tallantusky met an officer of the American Board of Missions of the Presbyterian Church and asked that a missionary be sent to his people. As a result of this request Rev. Cephas Washburn was selected by the board to establish and take charge of the mission.

Cephas Washburn was born in Vermont in 1792 and while still a boy had the misfortune to break his leg by falling from a cart. Unable to work on his father's farm, he became interested in the study of theology, attended Andover Seminary, and in 1818 graduated at the University of Vermont. Immediately after receiving his degree he went to Savannah, Ga., to engage in the ministry and was soon afterward assigned to the Cherokee mission in Arkansas. In the fall of 1819, accompanied by Asa and Jacob Hitchcock, Alfred Finney and a Mr. Orr, he set out for the Cherokee country. On July 3, 1820, the party reached Little Rock, where Mr. Washburn was waited on by Matthew Cunningham, Stephen F. Austin "and other leading citizens," who requested him "to preach a Fourth of July sermon the next day." The request was granted and this was the first sermon in Little Rock. The audience consisted of "fourteen men and no women."

Passing on up the Arkansas River, the party selected a site in what is now Pope County, near the mouth of the Illinois Creek, and there established the Dwight Mission, named in honor of Timothy Dwight, president of Yale College and a friend of missions. Two comfortable log cabins were completed by the first of October, when Washburn and Finney left the other in charge and returned east for their families. They arrived at the mission on May 10, 1821, and from that time until the removal of the Cherokee to the Indian Territory in 1828 Mr. Washburn did all he could to advance the interests of his Indian friends. He and Mr. Finney went with the Indians to their new home and ministered to their wants for more than ten years.

When Mr. Washburn gave up missionary work he settled in Benton County, Arkansas, where he preached and taught school for several years. He was then pastor of a Presbyterian Church at Fort Smith for two or three years and in

1855 removed to Norristown, then a town of some importance, not far from the mission he had established thirty-five years before. In the spring of 1860 he started for Helena, where the Presbyterian Church was without a preacher, but was taken ill en route and died at the home of Dr. Roderick L. Dodge in Little Rock on March 17, 1860. Washburn Presbytery was named in his honor.

THE FIRST CHURCHES

The first regular Presbyterian Church to be organized in Arkansas is still in existence and is known as the First Presbyterian Church of Little Rock. It was organized on Sunday, July 27, 1828, by Rev. James W. Moore, who has been called the "Father of Presbyterianism in Arkansas." Mr. Moore was born at Milton, Pennsylvania, September 14, 1797, attended the common schools in his native town, united with the church in 1820, and in 1824 entered the Theological Seminary at Princeton, New Jersey. Upon completing his studies he was licensed to preach and on November 21, 1827, was ordained as a missionary for Arkansas. On January 25, 1828, he arrived at Little Rock and preached his first sermon the following Sunday. The church he organized in July consisted of only seven members. This little congregation worshipped in various houses until the next summer, when a small chapel was erected on the corner of Main and Second streets, which was used until 1847. Mr. Moore died on January 25, 1873, after exactly forty-five years in the Presbyterian ministry in Arkansas.

In 1832 Rev. Daniel L. Gray came to Arkansas and settled in Jackson County. After preaching in dwellings and school houses for over a year he organized the Elizabeth Presbyterian Church in November, 1833. This was the second Presbyterian society in the state. After a few years most of the members removed to Tennessee. Mr. Gray went with them, but some years later returned to Arkansas and preached for the churches in Prairie and adjacent counties until his death in 1864.

Rev. A. R. Banks came from South Carolina in 1836 and settled in Hempstead County. About two years after his arrival he organized the Spring Hill Presbyterian Church, which was the third in the state. His son, Henry H. Banks, was the first native Arkansan to enter the Presbyterian ministry. Rev. A. R. Banks died about 1895.

THE PRESBYTERIES

At the meeting of the Mississippi Synod in 1834 it was ordered that Arkansas should be constituted a presbytery. There were then only two organized societies—Little Rock and Elizabeth—though missionary word had been done in a number of localities. The presbytery was organized in the church at Little Rock on April 16, 1835, with Dudley D. Mason as ruling elder. During the next decade several new churches were established.

Ouachita Presbytery was organized at El Dorado on March 30, 1849, and constituted all that part of Arkansas south of a line "beginning at the mouth of the Arkansas River, running up that river to the mouth of Fisher's Bayou, thence due west to the western boundary line of the state." The churches in

this presbytery at the time of its organization were: El Dorado, Mount Holly, Scotland, Spring Hill and Washington. The oldest of these churches was Mount Holly, which was organized in 1845, by Rev. Aaron Williams, who came to Arkansas in 1842 from South Carolina. In 1843 he became stated supply for the Little Rock Church, but the fall of 1844 found him teaching school and preaching at Washington, Hempstead County. In 1845 he organized the Mount Holly Church, composed largely of Scotch Presbyterians from Alabama and North Carolina. He was then appointed domestic missionary and removed to Brownsville, Prairie County, where he died on October 8, 1861.

The Presbyterian General Assembly which met at Charleston, S. C., in 1852, ordered that the State of Arkansas should be erected into a synod. The new synod was organized on October 16, 1852, in the church at Little Rock. There were then eighteen ministers resident in the state. Thomas W. Newton and William Elder were chosen ruling elders and Samuel J. Baird was elected stated clerk.

Pine Bluff Presbytery was organized at Monticello on April 2, 1884, with the following tributary churches: Calvary, Clarendon, Dermott, Fordyce, Hamburg, Helena, Holly Grove, Monticello, Mount Zion, Pine Bluff, Pleasant Grove, Princeton, Tulip and Warren.

Washburn Presbytery was organized at Fayetteville on October 24, 1884. The churches in this presbytery at the time of its formation were: Alma, Bentonville, Bethel, Big Spring, Charleston, Cincinnati, Dardanelle, Fayetteville, Fort Smith, Harrison, Morrillton, Mount Zion, New Hope, Prosperity, Russellville, Springdale, Van Buren and Yellville.

THE BAPTISTS

It is not certain who was the first to preach a Baptist sermon in Arkansas, but one of the pioneer preachers of this faith was John Young Lindsey, who held services in the northern part of the state before Arkansas Territory was organized. His father, Caleb Lindsey, came to Arkansas in 1815 and settled in that part of Lawrence County now Randolph. He was a surveyor and an educated man. One of the earliest schools in that section of the state was taught by Caleb Lindsey in a cave, without pay or thought of pay.

It was told of John Young Lindsey that he would preach sometimes for two hours and then invite the entire congregation to go over to his house for dinner; that is, when the meeting was near enough to his house for the congregation to accept the invitation. In later years it became the custom for some member of the church to invite the minister to dinner.

The first house of worship in Little Rock was built by the Baptists. It stood on the south side of Third Street between Main and Scott. Pope describes it as "a neat hewed log church house" and says it was built in 1825. Rev. Silas Toncray was pastor of this church from its organization in 1824 until 1829. In the spring of 1832 Rev. Benjamin F. Hall, a minister of the Christian church (sometimes called Campbellite) Church came to Little Rock and conducted a series of revival meetings in the Baptist Church. So many of the members joined the new church that the Baptist congregation was almost broken up. A few of them remained faithful and reorganized what afterward became the

First Baptist Church. It seems that the early Baptists were very liberal in allowing others to use their house of worship. The Presbyterians held services in it for a short time and the constitutional convention of 1836 met within its walls.

As early as 1827 Rev. J. M. C. Robertson and another Baptist preacher by the name of Hartwell held services at Camden. Rev. Jesse Bland was another pioneer Baptist minister. Bethel Church, six miles west of Arkadelphia, was one of the earliest of the Baptist churches south of the Arkansas River. The Benton Baptist Church was organized at the house of David Dodd on the first Sunday in April, 1836, by Rev. Samuel Henderson. It was at first known as Spring Creek Church. Other pioneer ministers, active in organizing congregations, were: Silas Dodd, Aaron Bolt, Allen Samuels and W. H. Bayless.

In 1848 the Arkansas State Convention was organized at Tulip, Dallas County, which was then one of the Baptist centers of the state. Where the Methodists have circuits, the Baptists have associations. At the time the state convention was organized in 1848 there were fewer than half a dozen of these associations. The last report of the state convention at hand shows forty-six associations, to-wit: Bartholomew, Benton County, Big Creek, Blue Mountain, Buckner, Buckville, Caddo River, Caroline, Carroll County, Clear Creek, Columbia, Concord, Crooked Creek, Current River, Dardanelle, Fayetteville, Fourche Valley, Friendship, Gainesville, Greenbrier, Grand Prairie, Hope, Howard County, Independence, Judson, Liberty, Little Red River, Madison County, Mount Vernon, Mount Zion, Ouachita, Pee Dee, Pike County, Pine Bluff, Red River, Rocky Bayou, Russellville, Saline, Southwestern, Spring River, State Line, Trace Ridge, Union, United, White River and White River Valley.

The names of several of these associations indicate their location. In each association there are from three to twelve organized churches. The total membership in the state (not including the colored Baptists) is not far from 100,000 and the denomination has nearly one thousand ordained ministers.

EPISCOPALIANS

On September 16, 1838, Rt. Rev. Leonidas Polk was elected missionary bishop of Arkansas by the Episcopal convention at Philadelphia. When news of this reached the state, the Gazette of October 31, 1838, said: "This will be pleasing intelligence to the Episcopalians in this state, many of whom have not heard the peculiar service of their church for many years. Churches of various denominations have been established in all parts of Arkansas, but we do not believe that a minister of this denomination has ever preached within our bounds."

Bishop Polk was born in North Carolina in 1806; graduated at the West Point Military Academy in 1827; attended the Episcopal Theological Seminary at Alexandria, Virginia; was ordained priest in 1830; was appointed missionary bishop of the southwest on September 16, 1838, a field covering Alabama, Arkansas, Indian Territory, Louisiana, Mississippi and Texas. On May 20, 1841, this territory was divided and he was made bishop of the separate diocese of Louisiana. At the beginning of the Civil war he entered the Confederate army and was killed at Pine Mountain, Georgia, June 15, 1864.

In the spring of 1840 Bishop Polk sent Rev. William H. C. Yeager to Little Rock and a small congregation was organized, which developed into Christ Church Parish. Among the original members of this church were: John H. Crease, Gordon N. Peay, T. D. Merrick, William E. Ashley, John E. Reardon, Lavinia Reardon, Mrs. Helen Scott and Miss Harriet Grafton.

When Bishop Polk became bishop of Louisiana in 1841, he was succeeded as missionary bishop by Rt. Rev. James H. Otey, who served until 1859. On October 23d of that year Rt. Rev. Henry C. Lay was elected missionary bishop of the Southwest. His diocese embraced Arkansas and the Indian Territory. In 1869 he was transferred to Maryland and on January 25, 1870, Rt. Rev. Henry N. Pierce was made bishop of Arkansas. The following March he located in Little Rock and commenced his church work in the state. On December 1, 1897, Rt. Rev. William M. Brown was elected coadjutor bishop and on September 5, 1900, he succeeded Bishop Pierce as head of the diocese. He resigned in April, 1912, and was succeeded by the present (1921) bishop, Rt. Rev. James R. Winchester.

Under the ministrations of these several bishops the Episcopal Church has had a satisfactory growth in the state and is now represented in all the principal cities and towns.

OTHER DENOMINATIONS

The Christian Church dates its beginning in Arkansas from the preaching of Rev. Benjamin F. Hall, already mentioned in connection with the Baptists. In 1843 Rev. John T. Johnson, a son of Judge Benjamin Johnson, and Rev. Thomas Ricketts, two ministers of this denomination, held revival services daily in Little Rock for about two months. Under their powerful preaching many members of other churches united with the Christian Church. After the departure of the revivalists, their friends laughed at them for becoming "Campbellites" and most of them returned to their former affiliations. Enough remained true to their new faith, however, to give the Christian Church in Little Rock a good start on the road to prosperity.

Messrs. Hall, Johnson and Ricketts, as well as other evangelists of this denomination, visited various parts of Arkansas, held services wherever they could find an opening, and organized a number of churches. But the denomination has never been especially strong in the state.

In localities where German Lutherans settled in sufficient numbers to support a church, that denomination has church organizations and parochial schools. There are a few Congregational churches in the state and the Christian Scientists have organizations in a number of the principal cities, but the religious sentiment of the Arkansans is of the conservative type and inclined to follow the old established forms of worship.

REV. TIMOTHY FLINT

Among the early preachers who visited Arkansas was Rev. Timothy Flint, who, to use the vernacular, "was in a class by himself." He was born at North Reading, Massachusetts, July 23, 1780, a son of William and Martha

(Kimball) Flint. At that time the church parish and the township were synonymous, consequently he was brought up a Congregationalist. He received his elementary education in the local schools, graduated at Harvard in 1800, and held a short pastorate at Lunenburg, Massachusetts. He then started West, served as a missionary in various localities and on May 5, 1819, entered the White River cutoff, arriving at Arkansas Post a day or two later. Concerning the inhabitants he says: "The people of this region are certainly more rough and untamed than those of the State of Missouri, or of the more northern and western regions. But yet, even the inhabitants here were far from deserving the character that has generally been given to the best of the population of these countries. The redeeming influence of American feelings, laws and institutions was sufficiently infused into the new government to carry it into quiet effect throughout the country."

Mr. Flint preached in the "courthouse" at Arkansas Post. As most of the population at that time were French, he undertook to preach in that tongue. Not being a finished French scholar he found this a difficult matter, and his troubles were increased by the habits of the people. He says: "The French people generally came to the place of worship arrayed in their ball-dresses, and went directly from worship to the ball. A billiard room was near, and parts of my audience sometimes came in for a moment, and after listening to a few sentences, returned to their billiards."

From Arkansas Post he ascended the Arkansas River, probably as far as the present Johnson County, where his family all became afflicted with ague. This made him anxious to return north and after many difficulties he reached Cincinnati. In the winter of 1832 his physician directed him to go south for his health. Between that time and his death he traveled extensively and wrote much concerning the places he visited. His writings contain a great deal of valuable information about the early Arkansas settlements. In the spring of 1840 he visited his birthplace and died there on the 16th of April.

CHAPTER LVI

FRATERNAL SOCIETIES

MASONIC FRATERNITY—FIRST LODGE IN ARKANSAS—THE HIGHER DEGREES—INDEPENDENT ORDER OF ODD FELLOWS—ARKANSAS ODD FELLOWS—KNIGHTS OF PYTHIAS—PYTHIANISM IN ARKANSAS—THE ELKS—GRAND ARMY OF THE REPUBLIC—UNITED CONFEDERATE VETERANS—SONS OF VETERANS—OTHER SOCIETIES—MOSAIC TEMPLARS

To the average person, not a member of any secret fraternal order, the history of such organizations is a subject of but little interest. Members of such societies, those who are directly interested, can easily obtain their history from the lodge records. Therefore, what is said in this chapter is mainly of a general historical nature, intended merely to show that the progress of the leading fraternal benevolent societies of Arkansas has kept pace with the state's development along other lines.

MASONIC FRATERNITY

Beyond question this order is the oldest and most widely distributed of all the fraternal organizations. Tradition carries its origin back to the Essenes, Carmathites, Pythagoreans and other brotherhoods of ancient times. It is quite probable that some of the features of the rituals used by these ancient fraternities were incorporated into the guilds of stonemasons and builders which were formed during the Middle Ages. That was the era of church and cathedral building and members of these guilds traveled over Europe under the patronage and protection of the church. They were invested with certain privileges, hence the term "Free Masons." Toward the close of the church-building period, members of these guilds banded themselves together into a permanent society for social intercourse and mutual benefit. It can hardly be disputed that this fraternal society was the mother of modern Freemasonry.

The order is said to have been introduced into England about 930 A. D. by Edwin Athelstan. A few years later a convention of Masons was held at York, England, at which a code of laws was adopted. It is claimed that this code is the basis of all subsequent Masonic constitutions. In 1275 a convention of delegates from the traveling guilds was held in Strassburg. A century later the members were divided into three classes—Apprentices, Craftsmen and Master Workmen. From Continental Europe and England the order found its way into Scotland, where the oldest known Masonic lodge is now in existence—Mother Kilwinning Lodge—its records dating back to 1599.

On June 24, 1717, representatives from four English lodges met in London and organized the English Grand Lodge. At that time there was but one degree, but in 1724 the English Grand Lodge accepted the classification of the

guilds of the Fourteenth Century and prepared a ritual including the degrees of Entered Apprentice, Fellow Craft and Master Mason. These three degrees constitute what is known as the "Blue Lodge" of the present day.

Daniel Coxe, of Burlington, N. J., received from the Duke of York, then Grand Master of England, a commission as "Provincial Grand Master of the Provinces of New York, New Jersey and Pennsylvania, in America." This commission, dated June 5, 1730, marks the date of introduction of Freemasonry in what is now the United States. Under its authority Coxe organized St. John's Lodge at Philadelphia—the first in America—in the fall of 1730. On April 30, 1733, Lord Viscount Montague, who had succeeded the Duke of York as Grand Master, issued a commission to Maj. Henry Price as "Provincial Grand Master of New England." Before the close of that year Maj. Price organized a lodge at Boston, which was the first Masonic lodge in New England organized under the authority of the English Grand Lodge.

FIRST LODGE IN ARKANSAS

There is a tradition that a lodge of Masons was organized at Arkansas Post during the Spanish occupation. If such was the case, its records have been lost, hence no one knows when it was established or how long it was in existence.

When Andrew Scott was appointed judge of the Superior Court of Arkansas Territory in 1819 he was master of a lodge working under dispensation at Potosi, Mo. With his appointment and prospective removal to Arkansas, the lodge surrendered its letter of dispensation, but Judge Scott asked and obtained permission from the Missouri Grand Lodge to retain the jewels, to be presented to the first Masonic lodge organized in Arkansas. Shortly after he settled at Arkansas Post a few Masons residing there petitioned the Grand Lodge of Kentucky for letters of dispensation to organize a lodge. The petition was granted on November 30, 1819, and on the next day Robert Johnson was installed as worshipful master. This lodge was the first in Arkansas, of which anything definite can be learned.

Upon the removal of the seat of government to Little Rock several of the members followed the capital and the lodge surrendered its dispensation. Arkansas was then without a Masonic organization of any kind until 1836, when the Masons of Fayetteville obtained a dispensation from the Grand Lodge of Tennessee to organize a lodge. It was named Washington Lodge, No. 82, and was presented with the jewels brought from Missouri by Judge Scott seventeen years before.

Western Star Lodge, No. 43, was instituted at Little Rock in the fall of 1837, under a dispensation received from the Louisiana Grand Lodge, and later received a charter dated February 12, 1838. The Louisiana Grand Lodge about the same time authorized the organization of Morning Star Lodge at Arkansas Post, and the Grand Lodge of Alabama granted a dispensation to certain Masons at Washington, Hempstead County, to organize a lodge, which was named Mount Horeb Lodge. On November 21, 1838, representatives of these four lodges met in Little Rock and organized the Arkansas Grand Lodge, with William Gilchrist as the first grand master, and George C. Watkins, grand secretary. Washington Lodge then became No. 1; Western Star, No. 2; Morning Star, No. 3, and Mount Horeb, No. 4. There is now scarcely a village of any consequence in the state that has not its Masonic lodge.

ALBERT PIKE CONSISTORY, A. AND A. SCOTTISH RITE, LITTLE ROCK

HOME OF THE FIRST MASONIC LODGE ORGANIZED IN ARKANSAS

THE HIGHER DEGREES

The first Royal Arch chapter in the state (Far West, No. 1) was organized at Fayetteville and received its charter in 1842. About two years later Union Chapter, No. 2, was organized at Little Rock, Friendship, No. 3, in Union County, and Whitfield, No. 4, of Camden, were instituted a little later. On April 28, 1851, delegates from these four chapters met in Little Rock and organized the Arkansas Grand Chapter, with Judge Elbert H. English as the first grand high priest and Albert Pike, grand scribe.

In May, 1853, the first council of royal and select masters was instituted at Little Rock. During the next five or six years councils were established at Camden, Monticello, Seminary and Fort Smith. The Arkansas Grand Council was formed on November 6, 1860, with Luke E. Barber, grand master, and Elbert H. English, grand recorder.

The first commandery of Knights Templars—Hugh de Payen—was formed at Little Rock, under a dispensation from the United States Grand Encampment, dated December 20, 1853. It received its charter in October, 1856. During the Civil War no new Masonic organizations were formed. In 1867 a commandery was formed at Camden. Two others were instituted soon afterward and on March 23, 1872, the Arkansas Grand Commandery was organized at Fort Smith. Luke E. Barber was elected the first grand commander, and John W. Rison, grand recorder.

About four years before the beginning of the Civil War, the Ancient and Accepted Scottish Rite was introduced into Arkansas by Albert Pike, by the organization of a consistory at Little Rock. This body lost all its records and possessions by the burning of the Masonic hall in 1876 and the rite was not revived until about 1892. Since that time it has become a prominent feature of Arkansas Masonry.

There is also a "ladies' degree," called the Order of the Eastern Star, the local organizations of which are called chapters. This degree is widespread throughout the state, an Eastern Star chapter being maintained in connection with the lodges in all the principal towns. Wives, daughters and other female relatives of Master Masons are eligible for membership.

The Arkansas Grand Lodge established St. John's College at Little Rock, which has been described in an earlier chapter. When the college ceased its work as an educational institution, the buildings and grounds were sold, the proceeds being used to erect the Masonic temple in Little Rock and the Masonic Orphans' Home at Batesville. The former was completed in 1891 and the latter was dedicated on September 30, 1909. The temple, which was located on the corner of Fifth and Main streets, was destroyed by fire on August 26, 1919.

The destruction of the temple left the Masons of Arkansas without an adequate home. In August, 1920, a booklet showing tentative plans for a new structure, to be known as the "Albert Pike Memorial Temple," was sent out to all Masonic bodies in the state. From every quarter came the promise of support and plans were drawn for a building to be located on Scott Street, extending from Seventh to Eighth streets, to cost $825,000. A board of trustees was then

chosen, consisting of Charles E. Rosenbaum, John Brodie, Frank M. Jefferson, George G. Wood, M. W. Hardy, Dr. F. L. French and Sidney L. Kahn.

Charles E. Rosenbaum, the president of this board, was born and educated in the city of St. Louis. He came to Little Rock in 1883 and has been prominently identified with Arkansas Masonry since that date. For years he was treasurer of the grand lodge; has served as president of the Masonic Orphans' Home, which was built and equipped under his supervision; was elected grand commander of the Arkansas Knights Templars in 1892; and has been prominent in the work of the Scottish Rite. About the time the new temple project was started he was offered further Masonic honors, but declined to give his attention to the erection of the new building.

INDEPENDENT ORDER OF ODD FELLOWS

This order dates from 1745, when a society called the "Antient and Most Noble Order of Bucks," was formed in England. Some writers have tried to establish the fact that it was founded by dissatisfied members of the Masonic order, hoping to make the "Bucks" a successful rival of Freemasonry, but this theory is not well substantiated. The oldest records of the "Antient and Most Noble Order of Bucks" are those of Aristarchus Lodge, which held its meetings in the old Globe Tavern in London. About 1773 the order began to decline, but a few lodges held on and the society was reorganized. George IV, when Prince of Wales, was initiated into the "Bucks" in 1780, and it is said that in his initiation the words "Odd Fellow" were used for the first time.

In 1803 a Grand Lodge was organized in England. Six years later, the lodge at Manchester withdrew and declared itself "independent." As a sort of self-constituted grand lodge it established a new order which in 1813 took the name of "Manchester Unity, Independent Order of Odd Fellows."

In December, 1806, Solomon Chambers and his son, John C. Chambers, organized a lodge of Odd Fellows in New York City, but it was short lived. The second attempt to introduce the order into the United States was made in 1816, when a lodge was organized in New York under authority from the Manchester Unity, but it was not a success. Two years later Thomas Wildey, a member of the order, came from England and located in Baltimore, Maryland. He advertised in the newspapers for the names and addresses of members of the order, with a view to the establishment of a lodge. On April 26, 1819, a lodge was organized at Baltimore, with Thomas Wildey, John Cheatham, John Duncan, Richard Rushworth and John Welch as charter members. This was the first permanent lodge in the United States. In September, 1842, the order in America separated from the Manchester Unity and instituted the Grand Lodge of the United States and Canada.

ARKANSAS ODD FELLOWS

On August 12, 1839, the first lodge of the Independent Order of Odd Fellows in Arkansas was organized in Little Rock, under the name of "Far West Lodge, No. 1." For several years the growth of the order in the state was slow. Telula Lodge, No. 2, was organized at Helena; Frontier, No. 3, at Fort

Smith; Independence, No. 4, at Batesville, and on June 11, 1849, representatives of these four lodges met in Little Rock and organized the Arkansas Grand Lodge. The total membership of the four lodges was 144. There were in 1920 nearly six hundred lodges in the state, with more than thirty thousand members. In 1898 a home for Odd Fellows' widows and orphans was opened at Batesville.

The Encampment, consisting of degrees higher than those of the lodge, is well represented in the state, and the ladies' degree, called the Daughters of Rebekah, is also strong. Connected with the order is a semi-military degree called the Patriarchs Militant, the local organizations of which are called cantons. These are found chiefly in the larger towns and cities.

KNIGHTS OF PYTHIAS

Five clerks in Government offices in Washington, D. C., met on the evening of February 15, 1864, and listened to the reading of a ritual for a new fraternal order, which ritual had been written by one of their number. The five young men were: Justus H. Rathbone (author of the ritual), David L. and William H. Burnett, Robert A. Champion and Dr. Sullival Kimball. The ritual, based upon the story of the friendship of Damon and Pythias, was approved by the listeners and the name "Knights of Pythias" was selected for the order.

Washington Lodge, No. 1, was organized on February 19, 1864, in Temperance Hall. On April 12, 1864, Franklin Lodge, No. 2, was instituted at the Washington Navy Yard. During the next six months several lodges were established near Washington. The Civil war then in progress made it difficult to awaken an interest in the work and all of the lodges except Franklin disbanded. After the war closed a few of the lodges were reorganized and on May 1, 1866, a grand lodge was formed. Within two years the order spread from the District of Columbia into Maryland, New Jersey and Pennsylvania. The Supreme Lodge was formed on May 15, 1868, to include the United States and Canada. In 1878 the Uniform Rank was established. Its drill manual is that of the United States army. In 1898 a number of officers in the volunteer service during the Spanish-American war were taken from the Uniform Rank, Knights of Pythias. There is also a degree called the "Dramatic Order, Knights of Khorassan," and a degree called the Pythian Sisters, to which the female relatives of knights in good standing are eligible. The Knights of Pythias enjoys the distinction of being the only fraternal order incorporated by act of Congress. In 1920 it stood fourth in point of strength among the secret organizations, having almost one million members. Up to December 1, 1921, the order had paid out $49,000,000 in death benefits and at that time carried a reserve fund of $12,000,000.

PYTHIANISM IN ARKANSAS

On October 20, 1872, Alpha Lodge, No. 1, was instituted at Fort Smith. This was the first Knights of Pythias lodge in Arkansas. It lived but a few months, but before it perished two other lodges had been organized in the state. Damon Lodge, No. 3, at Little Rock, was instituted on April 14, 1873, and in

1921 was the oldest lodge in the state. On June 23, 1881, the Arkansas Grand Lodge was organized, with eight lodges participating. The membership in the state at that time was not quite five hundred. Thomas Essex, of Little Rock, was elected the first grand chancellor and John M. Taylor, of Pine Bluff, the first grand keeper of the records and seal. At the beginning of the year 1921 there were over one hundred lodges in Arkansas, with a membership of about six thousand.

The headquarters of the grand lodge are at Little Rock. The Order of the Knights of Khorassan is represented by organizations at Fort Smith and Texarkana, and about 1919 active work in organizing the Pythian Sisters was commenced. Auxiliary lodges of the "Sisters" have been formed in a number of the leading towns and cities. A widows' and orphans' fund was started in 1919 by levying an annual per capita tax of twenty-five cents upon each member.

THE ELKS

In 1866 a number of "good fellows," most of them belonging to the theatrical profession, formed a club in New York City. The members would meet of evenings, sing songs, swap yarns, etc., the main object being to pass an hour or two in social intercourse. Charles Vivian, a young Englishman, was one of the moving spirits and gave the club the name of the "Jolly Corks." Some time in the winter of 1867-68 it was proposed to found a fraternal order. The name "Jolly Corks" was considered not sufficiently dignified and a committee was appointed to select a name more appropriate. This committee visited Barnum's museum, there saw an elk and learned something of its habits, and suggested as a name the "Benevolent and Protective Order of Elks."

The name was adopted and New York Lodge, No. 1, was organized on February 16, 1868. For about three years it was the only Elks' lodge in existence. It was incorporated as a grand lodge on March 10, 1871, with power to organize subordinate lodges. The second lodge was organized in Philadelphia soon after the grand lodge was incorporated. San Francisco Lodge, No. 3, was organized on April 18, 1876. By 1880 many of the leading actors had become members and were active in aiding to organize lodges wherever they went. The result was that in a few years all the principal cities of the country had their "Elks Clubs." The motto of the order is: "The faults of our brothers we write upon the sands; their virtues upon the tablets of love and memory."

Among the rules of the order is one that only one lodge of Elks can be organized in a city. Another is that no organization of Elks shall be made in a city of less than 5,000 inhabitants without a special dispensation, and in recent years no such dispensations have been granted. Elks' clubs are now to be found in practically every city of 5,000 population or more in the United States and the order has spread to Hawaii, Alaska and the Philippine Islands. The total membership in 1920 was nearly three-quarters of a million.

The oldest lodge of Elks in Arkansas is the one at Little Rock. At the beginning of the year 1920 there were lodges at Blytheville, Conway, El Dorado, Fayetteville, Fort Smith, Helena, Hot Springs, Jonesboro, Little Rock, Paragould, Pine Bluff, Stuttgart and Texarkana. The Elks are genial fellows and

the initials B. P. O. E. are sometimes interpreted as standing for the "Best People On Earth."

GRAND ARMY OF THE REPUBLIC

This is an organization of soldiers, sailors and marines who fought on the side of the Union in the war of 1861-65. As early as 1864 Dr. B. F. Stephenson and Rev. W. J. Rutledge, surgeon and chaplain of the Fourteenth Illinois Infantry, discussed the advisability of forming a society to perpetuate the friendships formed among the soldiers of the different states during the war. After the war they perfected their plans and called a meeting at Decatur, Illinois, for April 6, 1866. At that meeting the Grand Army of the Republic was born.

Each state constitutes a department and local organizations are called posts. The first post was organized at Decatur at the time of the meeting above referred to and the first national encampment was held at Indianapolis, Indiana, in November, 1866. The objects of the order are stated in the constitution as follows: "To collect and preserve historic relics or documents pertaining to the war; to aid and assist disabled Union veterans, their widows and orphans; to observe Memorial Day by patriotic exercises and decoration of graves of fallen comrades; to keep alive the cherished recollections of the camp and cam paign, and to teach the rising generations lessons of patriotism."

The order reached its greatest strength in 1890, when it numbered 409,487 members. Since then the number answering "the last roll call" has increased annually. In 1915 the death rate among the members was about one thousand per month. After the war many ex-Union soldiers settled in Arkansas. In towns and cities, where enough of them located, posts were organized. Only a few of these posts are now in existence.

UNITED CONFEDERATE VETERANS

Soon after the close of the war societies of ex-Confederate soldiers were organized in a number of Southern cities. These were independent of each other until 1889. In January of that year Capt. J. F. Shipp, who was quartermaster-general on the staff of Gen. John B. Gordon, conceived the idea of consolidating all the local societies into one. One of his principal objects in undertaking such a project was to promote the purchase of the Chickamauga battlefield by the United States and converting it into a national park. The previous session of the Georgia Legislature had granted a charter to the Chickamauga Park Association, composed of some thirty or forty men of that state, who had been officers in the Confederate army. Many influential Northern men became interested in the movement to join with their Southern brethren in erecting monuments marking the positions of various commands on that great battlefield. Captain Shipp selected the City of New Orleans for the initial meeting, because in that city there were already three strong associations of Confederate veterans. On January 19, 1889 (Robert E. Lee's birthday), he attended a banquet in New Orleans and explained his object, which was indorsed by Jefferson Davis, who was present.

A call was then issued to all Confederate societies to send delegates to New Orleans on June 10, 1889, which date marks the beginning of the "United Con-

federate Veterans," which was the name chosen for the consolidated organization. Each of the Southern States constitutes a division, commanded by a major-general, and local societies are called camps. Each state organization holds an annual reunion. The constitution adopted at New Orleans sets forth the objects of the organization thus: "To endeavor to unite in a general federation all associations of Confederate soldiers and sailors, now in existence or hereafter to be formed; to gather authentic data for an impartial history of the War between the States; to preserve relics or mementoes of the same; to cherish the ties of friendship that should exist among men who have shared common dangers, common sufferings and privations; to care for the disabled and extend a helping hand to the needy; to protect the widows and orphans, and to make and preserve a record of every member, and, as far as possible of our comrades who have preceded us into eternity."

The United Confederate Veterans have been influential in the erection of monuments upon the great battlefields of the war, and the soldiers' homes in Alabama, Arkansas, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, South Carolina, Texas and Virginia are the result in a great measure of their efforts to care for old Confederate soldiers and their families. (For a history of the Arkansas Soldiers' Home see Chapter XXII).

In the old record book of the Arkansas Division, the earliest minutes are dated April 16, 1896, though it is certain that the United Confederate Veterans had been organized in the state prior to that date. The record of that meeting states that John G. Fletcher, the retiring major-general, reported fifty-two organized camps in Arkansas; that the state had been organized into four divisions, each commanded by a brigadier-general, to wit: Northeast, Brig.-Gen. Benjamin W. Crowley; Southeast, Brig.-Gen. J. M. Hudson; Northwest, Brig.-Gen. R. B. Hodgins; Southwest, Brig.-Gen. R. G. Shaver.

For several years the order increased in numbers, the old record above mentioned showing at one time ninety-seven camps. But, like the Grand Army of the Republic, the death rate increased as the members grew older and it could be noticed that the "thin line of gray" on Memorial day grew thinner year by year.

It was Captain Shipp's dream in organizing the United Confederate Veterans, that they would meet with the men of the North in the erection of markers upon the battlefields and in reunions, where by relating their experiences they would "bridge over the bloody chasm;" that they would coöperate with the Grand Army of the Republic in a general supervision over the parks. That dream has been more than realized. On the fields of Chickamauga, Vicksburg, Shiloh and the sites of other great battles, Union and Confederate monuments stand almost side by side, telling the story of brothers engaged in mortal conflict. Yet, on Memorial Day it is no unusual sight to see the blue and the gray march side by side to a cemetery and place their garlands upon the graves of fallen heroes without distinction.

SONS OF VETERANS

In both North and South the sons of those who fought in the Civil war have been organized. The United Sons of Confederate Veterans were organized at Richmond, Virginia, June 30, 1896, the objects to be "strictly historical and

benevolent." The association soon spread to all the Southern States. The federation is divided into the following departments: 1. The Army of Northern Virginia, which includes the states of Kentucky, Maryland, North and South Carolina and Virginia; 2. The Army of the Tennessee, which consists of the states of Alabama, Florida, Georgia, Louisiana, Mississippi and Tennessee; 3. The Trans-Mississippi department, embracing the states west of the Mississippi River, except Louisiana.

Arkansas is in the last named department. Camps were organized in the state soon after the formation of the society in 1896. As the aims and objects of the "Sons" do not vary essentially from those of the "Fathers," it is not necessary to repeat. The annual reunions are held at the same time and place in each state. Among those who have been most active in building up the order in Arkansas may be mentioned: J. H. Reynolds, Conway; J. A. Sheffield and Dr. C. E. Hurley, Bentonville; George Culberhouse and J. R. West, Jonesboro; C. L. Moore, Jr., Helena; Paul McKennon, Clarksville; R. G. Pillow, Little Rock, and John P. Logan, Grannis.

OTHER SOCIETIES

In addition to the foregoing there are a number of societies represented in Arkansas, the principal feature of which is fraternal insurance. Foremost among these is the Ancient Order of United Workmen, which was organized in 1868 and in 1920 reported a membership of 60,000. This order is particularly strong in Arkansas and owns a fine office building in the City of Little Rock.

In 1883 the Modern Woodmen of America began at Rock Island, Illinois, with a small membership. In 1920 this order numbered about one million. The Woodmen of the World, an offshoot of the Modern Woodmen, was organized in Omaha, Nebraska, June 3, 1890, and in 1920 reported over nine hundred thousand members. The latter has a number of lodges or "camps" in Arkansas.

The Knights of the Maccabees, established in 1883, numbered about four hundred thousand members in 1920. This order is represented in the principal cities and towns of the state.

The Loyal Order of Moose dates its beginning from 1888. It was introduced in Arkansas soon afterward. James J. Davis, secretary of labor in President Harding's cabinet, became supervisor in 1906 and later was made director-general. He planned the Moose fraternal home and school at Mooseheart, Illinois, where in 1921 there were sixty-eight widows and 1,100 children cared for and educated by the order.

The Knights of Columbus, a Catholic order, was founded at New Haven, Connecticut, in 1882, by Father P. J. McGivney, "to associate Catholic men for religious and civic usefulness." The order first entered war welfare work in the Spanish-American war. During the great World war the Knights of Columbus were especially active and at the close of the war they established over one hundred free night schools for the benefit of ex-service men. One of these schools was located at Little Rock and was opened in December, 1920, under the auspices of the Little Rock Council. In 1920 the membership was 800,000.

The United Commercial Travelers was organized at Columbus, Ohio,

in January, 1888, "to unite fraternally all commercial travelers of good moral character; to give moral and material aid to its members and those dependent upon them; to establish funds to indemnify its members for disability or death resulting from accidental means; and to secure from all transportation companies and hotels just and equitable favors for commercial travelers as a class."

In 1893 a widows' and orphans' fund was started and up to 1920 nearly one million dollars was paid out for the benefit of widows and orphans of members. The society numbers 105,000 members and many of the traveling salesmen of Arkansas belong to the "U. C. T."

MOSAIC TEMPLARS

At the corner of Ninth Street and Broadway, in the City of Little Rock, stands a handsome four-story building valued at $250,000, the national headquarters of the Mosaic Templars, the largest negro fraternal order in America. It is said that the order originated from the following incident: In 1883 John E. Bush, a young negro with some ambition, was talking with a white man on a street corner, when they were approached by a colored woman soliciting funds to bury her husband, who had just died and left her penniless. Both men contributed and as the woman went away the white man remarked: "I can't understand your race. When they work they throw away their earnings, and when one dies or needs help the public must be worried to death by negro beggars—it's a shame."

Bush recognized the truth of the remark, but it brought with it a determination to remedy the condition in Little Rock. He explained the situation to a colored friend, C. W. Keatts, and the two sat upon the steps of a vacant house on the corner of Ninth Street and Broadway while they figured out a plan. A little later the first lodge of the Mosaic Templars was organized with fifteen members, including both sexes. The founders had no intention of making the order more than a local institution, but the idea became popular among the colored people and in 1921 it was operating in twenty-six states, Central America and the West Indies, with more than one hundred thousand members and assets of $1,100,000.

It is a coincidence that the national home stands on the site of the old vacant house where Bush and Keatts first formulated their plans for the organization. The states of Alabama, Louisiana and Texas also have erected buildings for state headquarters. Membership in the order gives the negro a feeling of independence and the Mosaic Templars has received the encouragement of the white people wherever lodges have been established. During the World war the order sent out a call to the charitable inclined negroes to contribute to a fund to pay the assessment of those who had been drafted for military service. The response was so general that all assessments were taken care of and a balance of $10,000 was diverted to other charitable work. There are now over three thousand lodges and the order is still growing. At the session of the grand lodge, held in Little Rock in the summer of 1921, an effort was made by some of the delegates from the Northern States to have the headquarters removed to a northern city, but the proposition was voted down, the majority taking the view that the colored people receive as many favors in the South as they would in the North.

CHAPTER LVII

SOCIAL AND CIVIC CLUBS

CHAMBERS OF COMMERCE, ETC.—DAUGHTERS OF THE AMERICAN REVOLUTION—COLONIAL DAMES OF AMERICA—UNITED STATES DAUGHTERS OF 1812—UNITED DAUGHTERS OF THE CONFEDERACY—FEDERATION OF WOMEN'S CLUBS—WHAT THE CLUBS HAVE ACCOMPLISHED—MISCELLANEOUS CLUBS.

Among the civic organizations of the state, the chambers of commerce, boards of trade, etc., in the various cities and towns occupy a prominent place. It would be impracticable to attempt a history of each of these organizations, but the most important of them have been mentioned in connection with the cities in which they are located. These chambers of commerce, boards of trade, commercial clubs, business men's associations, etc., have for years been active in improving local conditions and in advertising the merits and advantages of their respective cities and towns. In numerous instances several of them have worked together to secure the enactment of laws for the civic improvement of the state, for the reduction of freight rates, etc.

But the greater part of this chapter is devoted to the women's clubs and societies, which have been instrumental in preserving historic places and relics, promoting the educational facilities of the state, and otherwise striving for general social and civic advancement. First of these societies is the

DAUGHTERS OF THE AMERICAN REVOLUTION

In 1890 a number of American women, believing that to be the descendant of a Revolutionary soldier was an honor worth perpetuating, organized the Daughters of the American Revolution. That it struck a responsive chord in the hearts of many American women is seen in the fact that in 1920 the membership of the society was 110,300. The Washington Headquarters Association was organized in 1903 for the purpose of erecting a Memorial Continental Hall in that city to cost $500,000. The first president-general of the order was Mrs. Benjamin Harrison, whose husband was President of the United States at the time the national society was organized.

The first chapter in Arkansas was organized at Little Rock in December, 1893, by Mrs. Clifton R. Breckenridge, with twelve charter members. Mrs. W. A. Cantrell was the first state regent. The first state conference was held at the Hotel Marion in Little Rock on February 22, 1909, called by Mrs. John McClure, then state regent. At that time there were but four chapters in the state. The work of the state conference stimulated an interest in the order and during the next year eight new chapters were organized. Since then the growth

of the order in the state has been satisfactory to the members, and all the chapters have contributed liberally to the memorial hall fund, besides aiding in the establishment of public libraries, the collection and preservation of historic relics, documents, etc.

COLONIAL DAMES

The society known as the Colonial Dames of America was founded in 1891. The first of the societies which compose the national organization was established in Philadelphia on April 8, 1891, and letters were written to a number of well known women in other states asking them to join with the Pennsylvania society in forming a national organization. The constitution recites the objects of the society to be: "To collect and preserve manuscripts, traditions, relics and mementos of bygone days; to preserve and restore buildings connected with the early history of our country; to diffuse healthful and intelligent information concerning the past; to create a popular interest in our colonial history; to stimulate a spirit of patriotism and a genuine love of country, and to impress upon the young, the sacred obligation of honoring the memory of those heroic ancestors whose ability, valor, suffering and achievements are beyond all praise."

The Arkansas Society was incorporated on February 26, 1898. Since that time it has been influential in the preservation of the old state house and grounds in their original form, and has placed in the new capitol a tablet commemorating the planting of the first cross on Arkansas soil by De Soto in 1541. The society also presented to the Little Rock High School an engraving of Martha Washington made from Gilbert Stuart's portrait. It has also urged a general observance of "Flag Day" each year.

DAUGHTERS OF 1812

This society, the correct name of which is the "United States Daughters of 1812," was organized in 1892 and reorganized in 1901. In 1920 it numbered about five thousand members. In the latter part of 1905 Mrs. Herman Wilmans, of Newport, was appointed organizing president of Arkansas by the president of the national society. Mrs. Wilmans drew up the state by-laws, which were approved by the national executive board, and the Arkansas State Society was formally organized with eight charter members. Nicholas Headington Chapter—the first in the state—was organized at Little Rock on October 24, 1908; John Craig Dodds Chapter, Batesville, March 25, 1910; Simon Bradford Chapter, Pine Bluff, September 19, 1911, and Chalmette Chapter, Texarkana, November 20, 1913. On March 28, 1914, the first state council met in Little Rock. At that time there were 103 members in the state, ninety of whom were present at the meeting. Reports from the several chapters were read, officers elected for the ensuing year, and the council closed with a banquet, at which a number of patriotic toasts were given.

Probably the most important work of the Arkansas Society was the placing of the bowlder on the old state house grounds, in memory of Gov. James Miller, which was dedicated on October 13, 1912. The inscription on the bowlder is as follows:

"I'LL TRY, SIR!
Gen. James Miller,
Born April 25, 1776,
Died July 7, 1851.
Hero of Lundy's Lane
First Territorial Governor of Arkansas 1819-1825
Erected by Nicholas Headington Chapter U. S. D. 1812."

The society, or the various chapters, have presented historic pictures to the public schools; contributed to the purchase of a silver service for the battleship "Arkansas;" gave 500 volumes to the library of that vessel; located the graves of a number of soldiers of the War of 1812 and started a fund to erect a monument to their memory—this monument took the form of a drinking fountain on the capitol grounds, dedicated in 1917; and has encouraged the observance of Flag Day and other patriotic holidays.

UNITED DAUGHTERS OF THE CONFEDERACY

In March, 1890, the women of Nashville, Tennessee, organized an auxiliary to the Confederate Soldiers' Home and Mrs. M. C. Goodlet was elected president. At a meeting of the auxiliary in May, 1894, Mrs. Goodlet suggested the idea of organizing all the associations of Southern women into one body, to be known as the Daughters of the Confederacy. Invitations were sent out asking all who were interested to meet in Nashville on September 9, 1894. On that date a large and representative body of Southern women assembled and the next day a constitution was adopted, the preamble of which is as follows:

"Because of the success of the initial movement to band together under one general head the Southern women, descendants of the survivors of the Civil war of 1861-65, which has already culminated in the organization of the Daughters of the Confederacy, and believing that the establishment of a general federation, by uniting under one constitution all organized bodies of the 'Daughters of the Confederacy' throughout the United States of America, will in a great degree tend to increase and thoroughly cement memories of the past and historical ties that now exist between them, and thereby accomplish the purpose set forth in the objects of the association, as hereinafter expressed, we, the duly accredited delegates from the various divisions of the Daughters of the Confederacy represented in general convention assembled at Nashville, Tennessee, this tenth day of September, 1894, do hereby adopt, create and establish the following constitution and by-laws for the Daughters of the Confederacy in substitution for any and all previous acts of similar import and character, which from and after this date are revoked and repealed."

The United Daughters of the Confederacy date their beginning in Arkansas from a meeting held at Hope in March, 1896, when Pat Cleburne Chapter was organized with Mrs. C. A. Forney as president. Before the close of the year three other chapters were organized, viz: Mary Lee, Van Buren; Memorial, Little Rock; and Hot Springs Chapter. In January, 1921, Mrs. W. G. Massey, president of the Arkansas division, reported forty chapters, with a membership of 2,226.

In May, 1905, the statue, "The Defense of the Flag," on the capitol grounds, was unveiled. The Daughters of the Confederacy were active in procuring funds for the erection of this statue, as well as for the "Mothers' Monument," also located on the capitol grounds. The Daughters have also been influential in the erection of monuments at Fort Smith, Helena, Van Buren and other towns, and have rendered substantial aid to the Confederate Soldiers' Home. Through the work of the society many interesting and valuable relics of the war have been collected and preserved.

FEDERATION OF WOMEN'S CLUBS

There is something of a gregarious nature in the make-up of the average person, and it is this disposition that leads to the organization of clubs and societies for a common object. Students in colleges form themselves into fraternities; workmen organize themselves into trades unions; and there is scarcely a town of 1,000 inhabitants in the United States that has not its women's club. Some of these clubs were started for the study of literature, some for the study of domestic science, some are purely social and others are interested in civics. It would be impossible, in the space of a single chapter, to give a history of every women's club that has ever existed in the State of Arkansas, even if the records of all such clubs were at hand.

For many years the various women's clubs acted independently of each other. In 1897 the State Federation of Women's Clubs was formed at Little Rock and Mrs. W. C. Ratcliffe was elected the first president. During the early years of the federation the principal work of the clubs was of a literary character. Then such subjects as art, music, library extension, education, home economics, conservation, education, health, and even politics came to be considered, broadening the scope of club work and adding to their usefulness. For the advancement of local needs and to promote greater sociability—more concert of action—the state has been divided by the federation into six districts, each of which bears the name of the principal city or town lying within its boundaries, viz. Camden, Forrest City, Fort Smith, Harrison, Little Rock and Pine Bluff. Each district has a chairman, who keeps in touch with the state chairman, and thus the state work is kept before each district, in order that the effort in behalf of any movement may be uniform all over the state.

Annual meetings are held and these are frequently attended by two hundred or more delegates. In 1918 the meeting of the National Federation of Women's Clubs was held at Hot Springs. This was made possible by the united effort of the clubs belonging to the Arkansas Federation. Over 1,200 delegates attended the national meeting and the women returned to their homes with a better opinion of Arkansas as a state and loud in their praises of Arkansas hospitality.

Within recent years the federation has given a great deal of attention to the subject of education. It holds two scholarships in the University of Arkansas—one for a male and one for a female student. The Elks have at different times maintained a scholarship in the university for a young woman and have placed it at the disposal of the federation. The Little Rock Conservatory has donated two scholarships, Ouachita College, Galloway College and Crescent

College, each one. Altogether about one hundred clubs are affiliated with the federation, Little Rock alone furnishing more than a score.

The presidents of the federation since its organization have been as follows, each serving until her successor has been elected and installed in office: Mrs. W. C. Ratcliffe, of Little Rock, 1897; Mrs. Jerome B. Pillow, Helena, 1898-99; Mrs. Frederick Hanger, Little Rock, 1900-01; Mrs. W. M. Neal-Reedy, Helena, 1902-04; Mrs. John R. Dale, Texarkana, 1905-06; Mrs. Richard B. Willis, Searcy, 1907-08; Mrs. S. E. Ellsworth, Hot Springs, 1909-10; Mrs. John Fletcher, Little Rock, 1911-12; Mrs. Jo Frauenthal, Conway, 1912-14; Mrs. John I. Moore, Helena, 1914-17; Mrs. H. V. Gibson, Little Rock, 1918-19; Mrs. A. W. Troupe, Pine Bluff, 1920-21.

In the chapter on the City of Fort Smith is given an account of how the women's clubs of that city saved the old commissary building of the fort as a historic relic. There is one club of Fort Smith that occupies a place peculiarly its own. That is the Business Women's Club, which was organized in February, 1913. It is composed of young women who work in offices or stores and are thus brought into contact with the business world. The object of the club is to aid in educational, constructive and recreational work. From the time of its organization the club has been self-supporting, no one having been solicited to contribute a dollar to its finances; yet it purchased over ten thousand dollars' worth of Liberty bonds and War Savings Stamps during the war, and has distributed over one thousand dollars in charitable work. The club owns a "cabin" in a beautiful grove about three miles from the city, where social outings are frequently held.

Taken altogether, the club life of Arkansas differs but little from that of other states. The women's organizations above mentioned keep abreast of current events, and the men's clubs, such as the Rotary, Kiwanis, etc., combine both business and social features calculated to bring the people of the state closer together for the advancement of the common welfare.

CHAPTER LVIII

ARKANSAS MISCELLANY

DUELING—A PECULIAR COMBAT—ALLEN-ODEN DUEL—NEWTON-SEVIER AFFAIR—WALKER AND NOTREBE—FONTAINE POPE AS A DUELIST—LAST DUEL IN ARKANSAS—THE BOWIE KNIFE—ITS HISTORY AS TOLD BY GOVERNOR JONES—CLOCK PEDDLERS—THE RAZOR-BACK HOG—THE ARKANSAS TRAVELER—SANFORD C. FAULKNER AS THE ORIGINAL.

In the history of every state, in fact of every community, events are constantly taking place which possess certain points of interest, yet have no direct bearing upon the history of the state or community. Others, apparently independent at the time of their occurrence, may have an aftermath that lingers for years in the minds of the people and indirectly wield an influence in shaping the state's destiny. A good sized volume might be filled with these "miscellaneous happenings" in Arkansas, but in this chapter only a few have been selected—such as directly affect the history of the state, show the character and customs of the early inhabitants, or serve to recall local events which awakened general interest at the time of their occurrence.

Perhaps the one custom or practice of early Arkansans that has caused more comment and criticism than any other, was that of settling personal disputes by the code of honor, otherwise

DUELING

In early days the practice of settling controversies by means of the duel was not common to Arkansas. It prevailed in many of the states. To refuse a challenge to adjust a difference of opinion by mortal combat, was to lay oneself open to the charge of cowardice, and no man likes to be branded as a coward. Consequently, few challenges were rejected. Affairs of this kind were conducted according to well-established rules. These rules constituted the "Code of Honor." The challenged party was given the right to select the time and place of the duel, and to name the weapons to be used. If he was a "dead shot" he usually suggested pistols. If he was an expert swordsman, he selected the sword, though very few duels in America were fought with swords. Each combatant had two seconds, to see fair play, and a surgeon to care for him in the event he was wounded. Usually, the principals, their seconds and surgeons were the only ones present. Featherstonhaugh, the English traveler, gives the following account of a peculiar duel, though he does not give the names of the principals nor the place where it occurred. It seems that a company of men were sitting in a tavern, when a bully appeared.

"Throwing his cloak on one side," says Featherstonhaugh, "the usual pistols and Bowie knife appeared; and as nobody seemed particularly overjoyed to

see him, he soon broke silence by saying: 'I don't know whether you are the very beginning of men or not, but I've got 3,000 acres of prime land, two sugar plantations, 150 negurs, and I reckon I can chaw up the best man in this room.'

"No one venturing to dispute any part of this statement, he proceeded to open his mind a little further. 'I've killed eleven Indians, three white men and seven painters (panthers); and it's my candid opinion you are all a set of cowards.'

"Having thus unbosomed himself, he observed that one of the company kept a steady eye upon, and walking up to him jostled him. This, as he found afterwards, was carrying it a leetle too far, for the person he was evidently seeking a quarrel with was a doctor, who had gone through a variety of adventures, and had been on the 'pynt of busting his byler' since this worthy 'began to carry on.' The doctor immediately rolled him off, when out came the Bowie knife, which, but for the interference of the rest of the company, would have been lodged in the doctor's heart. Now came mutual defiance and an instantaneous agreement to 'fight it out.' The terms proposed by the intruding swaggerer were rather novel, even for courts of honour in that country; but the doctor was not a flinching man, his steam was up, and he told his second to agree to anything that was fair for both.

"There was a room in the house totally dark, and this was fixed upon for the scene of the mortal combat. The parties were now stripped to the skin, except their trousers, their arms and shoulders well greased with lard, and a brace of pistols and a Bowie knife given to each. Thus they were put into the dark room, with the understanding that the butchery was not to begin before a signal was made by the seconds outside. For near a quarter of an hour after the signal had been given, the seconds heard no noise whatever, and were disposed to think the affair would end as it began—in words—when suddenly a pistol went off, then another. The survivor of this strange duel afterwards stated that scarce a tread or a breath could be heard in the room after they had cocked their pistols. He saw, or thought he saw, for an instant, the cat eyes of his antagonist glistening, but they changed their place so quickly that he was uncertain and did not venture to fire. At length, however, he fired and received a shot instantly in return, the ball of which lodged in his shoulder. Being in great pain and fearing he should faint, he fired a second pistol, when instantly he received a second ball in the fleshy part of his thigh. He soon became very faint from loss of blood and after trying in vain to support himself against the wall, fell on the floor.

"Silently and slowly the other now approached his intended victim, with the knife in his hand ready to dispatch him. The prostrate man, perceiving the wary character of his adversary, and aware of his extreme danger, had summoned all his presence of mind; grasping his knife firmly and raising himself up a little, he listened, but could hear nothing approach. Moving his upraised arm around, he endeavored to pierce with his eyes into the darkness that enveloped him, when suddenly he saw the same grey eyes glistening in front of him, and striking with all his might he plunged his knife through his incautious assailant's heart, who fell to the ground. The successful duelist now called out to the seconds to open the door, and entering they found the doctor weltering in his blood, but still holding the knife up to the hilt in the dead man's body."

GROUP OF DISTINGUISHED ARKANSAS PIONEERS, STATESMEN AND SOLDIERS

PORTRAITS SHOWN ON OPPOSITE PAGE

(Numbers run consecutively from left to right in first row and from right to left in second row, etc.)

1—James Miller, First Governor of Arkansas Territory, 1819.
2—James C. Conway, First Governor of State, 1836-1840.
3—Archibald Yell, Second Governor, 1840-44.
4—Henry W. Conway, Delegate to Congress, 1823-1827.
5—Ambrose H. Sevier, U. S. Senator, 1836-48.
6—Chester Ashley, U. S. Senator, 1844-48.
7—"Sandy" Faulkner, Original Arkansas Traveler.
8—Gen. B. L. E. Bonneville, Hero of Irving's Adventures of Capt. Bonneville.
9—George C. Watkins, Third Chief Justice, 1852-1854.
10—Samuel Adams, Acting Governor, 1844.
11—John Selden Roane, Fourth Governor, 1849-52.
12—Elias N. Conway, Fifth Governor, 1852-61.
13—William E. Woodruff, Sr., Founder of the Arkansas Gazette, 1819.
14—Rt. Rev. Bishop Byrne, Bishop Catholic Church.
15—Elias Rector, Pike's "Fine Arkansas Gentleman."
16—Columbus Danley, Pioneer Journalist.
17—Judge Wm. B. Conway, Associate Justice Supreme Court.
18—Judge Daniel Ringo, First Chief Justice.
19—Judge Thomas Johnson, Second Chief Justice.
20—Judge Thomas B. Hanley, Associate Justice, Supreme Court.
21—Robert W. Johnson, U. S. Senator, 1853-61.
22—F. W. Compton, Associate Justice of Supreme Court.
23—David Walker, President of Secession Convention and Chief Justice, 1866-1868.
24—J. J. Clendennin, Associate Justice, Supreme Court, 1866-1868.
25—H. M. Rector, Sixth Governor, 1861-62.
26—R. S. Gantt, Attorney at Law.
27—George A. Gallagher, Attorney at Law.
28—E. H. English, Chief Justice, 1854-1863; 1874-1884.
29—Albert Pike, Soldier, Poet, Lawyer, Statesman.
30—Jesse Turner, Associate Justice Supreme Court, 1878.
31—Harris Flanagin, Seventh Governor, 1852-1865.
32—John R. Fellows, Attorney at Law.
33—Gordon N. Peay, Pioneer Banker.
34—Patrick R. Cleburne, Major General, C. S. Army.
35—James F. Fagan, Major General, C. S. Army.
36—Phillip Pennywit, Pioneer Steamboat Captain.
37—John R. Eakin, Associate Justice Supreme Court, 1878-1885.
38—W. D. Blocher, Pioneer Journalist.
39—L. C. Gause, Member of Congress.
40—John Wassel, Attorney at Law.
41—John Sparks, Journalist.
42—T. J. Churchill, Thirteenth Governor, 1881-1883.
43—William R. Miller, Twelfth Governor, 1877-1881.
44—Augustus H. Garland, Eleventh Governor, 1874-1877.
45—Joseph Brooks, Politician.
46—Rev. Andrew Hunter, Pioneer Minister, M. E. Church.
47—Elisha Baxter, Tenth Governor, 1873-74.
48—Isaac Murphy, Eighth Governor, 1864-1868.
49—Powell Clayton, Ninth Governor, 1868-71.
50—Robert C. Newton, Lawyer, Confederate Soldier.
51—O. A. Hadley, Acting Governor, 1871-1873.
52—Wm. K. Sebastian, U. S. Senator, 1848-1865.
53—Bradley Bunch, Speaker House of Representatives, 1866.
54—T. C. Hindman, Congressman, 1859-1861; Major-General C. S. Army.
55—Grandison D. Royston, Pioneer Lawyer and Statesman.
56—Thomas Fletcher, Acting Governor, 1862.
57—James C. Tappan, Lawyer and Confederate Soldier.
58—John D. Adams, Pioneer Capitalist.
59—Richard H. Johnson, Editor.
60—Sterling H. Tucker, Pioneer Merchant and Banker.
61—"Uncle Jere" Kannady, Pioneer, Fort Smith.
62—Thomas S. Drew, Third Governor, 1844-1849.
63—D. H. Reynolds, Attorney, Confederate Soldier.
64—Wm. E. Woodruff, Jr., Editor.
65—John McClure, Chief Justice, 1871-1874.

ALLEN-ODEN DUEL

The first duel between Arkansans was the one fought by William O. Allen and Robert C. Oden on March 10, 1820. Allen was a member of the Legislature and Oden was a young lawyer. Two stories have been told regarding the cause of the duel. One is that Allen, who was some twenty-five years older than Oden and who was lame, became incensed because Oden got possession of his cane and would not return it, playfully retreating as Allen advanced. This was kept up until Allen became angry, limped to his room and wrote the challenge. The other story is that the two men were at dinner together when Oden offered some criticism of a speech Allen had made in the Legislature. As the argument advanced, Oden accused Allen of disputing his word, seized the latter's cane and struck him with it. The duel followed, Allen firing first and the bullet striking a button on Oden's coat inflicted a serious but not fatal wound. As he was falling he semiconsciously discharged his pistol, the ball struck Allen in the head, killing him instantly.

The grand jury of Arkansas County indicted Oden for receiving a challenge, and George W. Scott and Elijah Morton for having acted as seconds. Through technicalities the men were found "not guilty as charged in the indictment."

In October, 1820, the Legislature passed a law declaring that death resulting from a duel was murder. Courts were required to accept the testimony of seconds, the witnesses being granted immunity for the part they might have taken. This put an end to dueling in Arkansas, but it was an easy matter for the duelists to evade the law by going outside the boundaries of the territory.

NEWTON-SEVIER AFFAIR

Ambrose H. Sevier and Thomas W. Newton were members of opposite political factions, though personal friends. At a barbecue in 1827, Mr. Sevier, in a speech, declared that he was willing to fight the man who had written a certain newspaper article over a nom de plume. It developed that Mr. Newton was the author of the article and the duel followed. It was fought early in September, 1827, in the Cherokee country a few miles above Point Remove, now in Conway County, and turned out to be a fiasco. George W. Jones, afterward a United States senator from Iowa, acted as Mr. Newton's second, Dr. William P. Reyburn as his surgeon, and Robert C. Oden as his friend. Sevier's second was Wharton Rector, Dr. Nimrod Menefee was his surgeon and there was a friend whose name is unknown to the writer.

In making the arrangements it fell to the lot of Mr. Jones to give the word to fire. The combatants took their positions, ten paces apart, when Mr. Jones called out: "Gentlemen, are you ready? One, two, three, fire!" Both pistols were discharged before the word "fire" was spoken, but neither party was injured. A second shot was demanded, the pistols were reloaded and handed to the principals, who again took their stations. At this juncture Doctor Menefee stepped between them and declared that "this thing must stop." A parley followed, at the end of which Doctor Menefee said: "It is agreed that these gentlemen, never having had any quarrel and always being on good terms, shall shake

hands and be friends." This was done and the affair ended, the two men remaining on good terms afterward.

Another duel fought in the fall of 1827 was that between Robert Crittenden and Henry W. Conway, which has been described in an earlier chapter. In this instance the duelists evaded the Arkansas law by crossing the Mississippi River and fighting their duel in Mississippi. (See Chapter IX). The duel between Andrew Scott and Joseph Selden, two judges of the Territorial Superior Court, has also been described.

WALKER AND NOTREBE

Among the early settlers at Arkansas Post were Col. Alexander S. Walker and Frederick Notrebe, who have been mentioned elsewhere. They were good friends, but some remark of Walker's caused Notrebe to take offense and the result was a challenge. The spot selected for the duel was a sandbar in the Quapaw country opposite the Post, and the time was at daybreak on a certain morning. Before daylight Notrebe, with his seconds and surgeon, a number of his personal friends and nearly all his ngero slaves crossed over the river to await the arrival of his foe.

Just at daybreak Colonel Walker arrived with his seconds, surgeon and two or three friends. Seeing the crowd on the sandbar he remarked: "Well, Frederick, if I had known that you were going to come with an army at your back, I would have come over during the night and thrown up breastworks." This caused a general laugh and resulted in a conference instead of a fight. Walker agreed to recall the objectional remark which had caused all the trouble, if Notrebe would withdraw his challenge. This was agreed to and the two men remained friends as long as they lived.

FONTAINE POPE AS A DUELIST

Shortly after the "Advocate" was started at Little Rock an article appeared in its columns signed "Dinwiddie," reflecting upon the character of Governor Pope. His nephew, Fontaine Pope, demanded the name of the writer and was informed that it was Dr. John H. Cocke. Immediately Pope sent the doctor a challenge by Maj. Elias Rector. It was promptly accepted and the encounter took place in Mississippi, opposite the mouth of the White River. Pope's second was Major Rector and Dr. Robert A. Watkins attended him as surgeon. Cocke's second was James B. Keatts and Dr. Bushrod W. Lee acted as his surgeon. Three shots were fired without injury to either party, when the friends of the principals put a stop to further hostilities.

In Pope's next duel he was not so fortunate. In December, 1830, an article appeared in the Advocate signed "Devereux," which made an attack upon Governor Pope, and referred in a sarcastic manner to his nephew. Fontaine Pope replied to this communication in the Gazette of January 5, 1831, using language extremely caustic and bitter. It then came out that "Devereux" was none other than Charles F. M. Noland, of Batesville, one of the leaders of the Whig party in Arkansas. He sent a challenge to young Pope which was accepted. The principals and their seconds journeyed over two hundred miles

in order to get out of the Territory of Arkansas. On Saturday, February 5, 1831, they crossed the Red River into Texas, where the duel took place with pistols at a distance of only twenty feet. At the first shot Pope was struck in the right hip and fell to the ground. He was taken to Washington, Hempstead County, where he remained for some time and was then taken to his home in Little Rock. He died there on June 17, 1831, from the effects of his wound.

LAST DUEL IN ARKANSAS

On August 27, 1863, while the Confederate army was falling back toward Little Rock, an engagement took place at Reed's Bridge over the Bayou Meto. Gen. L. M. Walker was in command of the Confederate forces, and Gen. John S. Marmaduke commanded a division under him. After the battle Marmaduke criticized Walker for his management of the troops. When Walker heard of this he demanded an apology, which was not forthcoming, and he then challenged Marmaduke to a duel. They met the next day a few miles from Little Rock and fought with pistols. Walker was severely wounded and was taken to Little Rock, where he died the next day. This was the last duel in Arkansas.

Public sentiment finally put an end to dueling. After the failure of the courts to convict Robert C. Oden and his seconds, the Gazette urged the passage of a law that would compel seconds to testify. "Our statutes," wrote Mr. Woodruff, "inflict no other punishment but fine and disqualification for office, for giving or accepting of a challenge, even though death ensues in consequence." The Legislature of 1823 passed an act covering the very points advocated by Mr. Woodruff three years before. But Robert Crittenden, as acting governor, vetoed it, because "in an unsettled country, such as Arkansas, a man of proven character must be at liberty to protect his honor."

A book on dueling, written by an Englishman and published in 1868, says: "America is the land where life is held cheaper than anywhere else. There duels are off-hand diversons." It was no doubt expressions of this character by disinterested foreigners, coupled with laws enacted by many of the states, that finally relegated the "code of honor" to oblivion. A recent writer, commenting on the duel, says: "The trouble seems to be that the heroic impulse—the will to dare and suffer—is decadent among us. We are too comfortable to fight each other. The man who craves battle and adventure is as much out of place among us as a lion in a barnyard."

THE BOWIE KNIFE

In early days nearly every Arkansan carried a pistol or a Bowie knife. So general was the practice of going armed, that Governor Fulton, in a message to the Legislature alluded to it as follows: "The practice of carrying arms in a community in which arms are not universally worn, places the peaceable and unarmed citizens completely in the power of an armed adversary. * * * The practice has been the cause of much bloodshed in Arkansas and has greatly injured the character of the territory abroad. Public sentiment ought therefore to be enlisted against it. I have no doubt but that a legislative resolution denouncing the practice as highly improper, and such as ought not to be tolerated

HOME OF COL. JOHN DRENNEN, VAN BUREN, ERECTED 1836, WHERE SOMETIME, MANY OF THE DISTINGUISHED PIONEERS WERE ENTERTAINED

in a civilized community, would induce our chivalrous young men, with one accord, to abandon the practice altogether."

If such a resolution was adopted by the Legislature, it failed to produce the desired result, for only a few years later the speaker of the house killed one of the members while the Legislature was in session. The speaker was John Wilson and the member killed was J. J. Anthony, representative from Randolph County. The weapon used was the famous Bowie knife, and when Anthony fell he also had a Bowie knife in his hand.

The history of this famous knife, as taken from an account by Gov. Daniel W. Jones, is as follows: James Black, the inventor of the design, was born in New Jersey in 1800, served an apprenticeship with a blacksmith, which ended in 1818, after which he went down the Mississippi, then up the Red River, and about 1824 landed in Hempstead County, Arkansas. There he found employment with a blacksmith named Shaw. Because he fell in love with Anne Shaw, one of his employer's daughters, he was discharged and located a shop of his own on the Cossatot River, where he became a farmer as well as blacksmith. After a brief sojourn here he returned to Washington, married Anne and established himself as a blacksmith. Being a fine workman, especially in the matter of tempering steel, he soon had all the work he could do.

About 1830 James Bowie came to Washington with a pattern for a knife, said to have been whittled out of an old cigar box. Black made the knife, but after completing it made another, slightly different, and when Bowie called for his knife offered him his choice. He promptly selected Black's pattern. Not long after this Bowie became involved in a quarrel with three desperadoes and killed them all with the knife Black had made. After that when anyone wanted a knife from Black he would order it to be "made like Bowie's," and in this way the name originated.

When Bowie was killed at the Alamo in March, 1836, his body was found surrounded by dead Mexicans and the knife made by James Black still clasped in his hand. Governor Jones says: "Other men made knives in those days, and later, but no one has made the 'Bowie knife' except James Black. He undoubtedly possessed the Damascus secret. It came to him mysteriously and it died in the same way."

In 1839, while Black was recovering from an attack of fever, he was assaulted by his father-in-law and so severely injured that his eyesight was destroyed. Three years later he went to Dr. Isaac N. Jones (Governor Jones' father) and was informed that there was a bare possibility of restoring his sight, but that he would have to live right there, so that he could have constant attention. Black thus became an inmate of the Jones home. On May 1, 1870, on his seventieth birthday, he asked Daniel to bring him pen, ink and paper and he would write down the method of tempering steel which had made his knives celebrated. He then sent the future governor away with instructions to come back in an hour. When Daniel returned at that time he was again told to go away and come back in another hour. The same thing occurred again. Governor Jones says: "When I came in and spoke to him at the end of the third hour, he burst into tears and exclaimed: 'My God! my God! It is all gone from me! All these years I have accepted the kindness of these good people in the belief that I could repay it all with this legacy, and now when I attempt to do it I

cannot. Daniel, there were ten or twelve processes through which I put my knives, but I cannot remember even one of them. * * * For a little more than two years longer he lived on, but he was an imbecile. He is buried in the old graveyard at Washington, and with him lies buried the wonderful secret which God gave to him and was unwilling for him to impart to others."

CLOCK PEDDLERS

Throughout the states of the Middle West and those immediately west of the Mississippi, the Yankee clock peddler was one of the early visitors. Indiana, Illinois, Iowa, Missouri and Arkansas were canvassed thoroughly and in many cabins where there was not a table to eat from or a comfortable bed, there was a Connecticut clock nailed to the wall—a witness to the salesmanship methods of the peddler. The clock vendor was a difficult person to resist. Often he stopped at a house to get dinner for himself and feed for his horse. But, whether this was the case or not, he was not backward in introducing his business, and frequently a dialogue something like this would take place:

"I guess I'll have to sell you a clock before I go."

"We don't need no clock, and besides I hain't got no money to pay for one."

"Oh, a clock is just what you need out here in the woods. You'll find it fine company and after you've had one awhile you couldn't live without it. You can pay for it some other time."

"I reckon you'll find out I ain't a goin' to take one."

About this time the peddler begins to exercise his persuasive powers on the housewife.

"Well, missus, your husband surprises me by refusing to take a clock. He oughtn't to let you go without one. Why, every one of your neighbors is a going to git one."

Then, if the wife shows no signs of wanting a clock, the peddler would continue: "I guess you wouldn't object to my nailing one up here, till I came back this way in a month or so. I'll not charge you anything for it and I'm sure you'll take good care of it."

No objection being made to a proposition of this nature, the clock is fastened to the wall, the peddler gives instructions about winding it, etc., and goes on his way. The family takes good care of the clock, as it is not yet their property, the husband winds it carefully every night, and as the clock strikes the hours and they learn to depend upon it for the time, they begin to wish that it belonged to them. By the time this lesson has been learned the wily peddler returns and begins to talk of taking the clock down, as it is one of the best he ever had and he has another customer for it only a few miles away. This settles the matter. The peddler is obliging and takes a note for eighteen or twenty dollars, payable in six months. He also promises that if the clock fails to perform, he will replace it with another when he comes around that way again in the spring, or fall, as the case may be. Any way, he times his second visit about the time the note becomes due.

Sure enough, when he comes back he has a clock with him to replace any that have failed to measure up to expectations. But he has only one. He finds that many of the clock's have stopped, either because they were worth nothing as

timekeepers in the first place, or because they have been wound up too tightly, or for some other reason. He puts up the new clock, then stops by the roadside in some secluded spot and tinkers up the one he had just taken in, so as to be ready for an exchange with the next dissatisfied customer. If the settler pays his note, the whole transaction is ended. If not, the note is left with a justice for collection. Thus the housewife, who encouraged the purchase of the clock, often found her best milch cow levied upon by the constable to satisfy the clock peddler's note, while the peddler is miles away.

The Arkansas Legislature of 1831 passed an act to charge clock peddlers a license fee of $30 for six months, and providing a penalty of $100 for peddling without a license, the money to go to the county in which the peddler might be operating. Commenting upon this law, the Gazette of November 30, 1831, said: "The clock peddlers have reaped a goodly harvest in Arkansas, and if we cannot make them disgorge any of the profits which they have already made on our citizens, it will not be amiss to lay a tax on their future speculations for the benefit of the counties which may hereafter be the victims of their traffic."

THE RAZOR-BACK HOG

Quite a little has been written on the subject of this animal and Arkansas has been made the butt of many a joke on account of its razor-back hog. Webster defines the razor-back as "A thin-bodied, long-legged, half-wild hog, the descendant of a better breed," and explains that the term is used chiefly in the Southwestern United States. This definition applies to the Arkansas razor-back, except that in many instances they were not only "half" wild, but "entirely" wild.

During the Civil war, when nearly all of the able-bodied men of Arkansas were in the army, little attention was given to the live stock on the farms. Hogs were allowed to stray away and once in the forests they learned to shift for themselves. Then they afforded an illustration of what is meant by reversion to type. In a few generations they developed into the animal described by Webster. The thin body and long legs came as a natural consequence of their roaming from place to place in search of food, never remaining in one place long enough to get fat, even if they could have found sufficient food. Digging for roots developed the long, tough snout, which led to this variety of swine being referred to as "hazel-splitters."

Many of the hogs that strayed away from the farms bore the marks of their owners, but those born in the wilderness could not be identified and became the property of anyone who could capture or kill them. Dogs were trained for hunting the razor-back. These dogs would harass a herd of wild hogs by barking at them vociferously, but they rarely came within reach of the deadly tusks, for the male hogs grew tusks with which they could easily disembowel a dog. When the hunter heard the barking of his dogs he knew that a herd of hogs was at bay. Then he would creep up through the bushes, select the most likely porker and bring it down with his rifle. If he was a good marksman he could often kill his hog without letting it squeal, in which case he might have time to reload his rifle and get a second hog before the herd took the alarm and fled. There were no breechloading or repeating rifles in those days, but if the dogs

kept up their work, the hunter could sometimes kill three or four hogs before the herd took flight.

Hunting the razor-back was attended by a certain amount of danger. Dogs that were not well trained would sometimes be killed by the hogs, after which they would charge the hunter, who would "save his bacon" by climbing a tree, where he would occasionally be held prisoner for several hours before the hogs gave up the fight. Notwithstanding this element of danger, hunting the razor-back was considered great sport, as well as a source of profit, many men obtaining their winter supply of meat in this manner. Young pigs were frequently captured alive and carried back to the farms, where they were tamed and domesticated. After about 1875 the wild hogs became scarcer every year, though there are still a few in the wilds of the Ozark Mountains. The pigs carried into captivity furnished the foundation for a stock of tame hogs, though these bore many of the marks of their wild ancestors. Clay Sloan, former state auditor, tells a story to illustrate why such hogs were for years favored by Arkansas farmers.

According to this story some swine breeders from other states brought their best specimens of fine stock—Chester White, Poland China, etc.—to a county fair in Arkansas. The local farmers exhibited their hogs, which still retained many of the points of the true razor-back, and, to the surprise of the owners of the thoroughbreds, the native hogs won every prize. After the awards had been made, one of the importers approached one of the judges and said:

"We are not offended with your action in giving the prizes to your neighbors, but we feel confident that our hogs are superior in many respects to those you have favored, and just for information I would like to ask upon what points you judges based your decision."

"Well, stranger," replied the judge, "there's no doubt that your hogs could be fattened easier and made to weigh more, but the trouble is they can't run fast enough."

"Can't run fast enough?" exclaimed the swine breeder. This is the first time I ever heard of speed being a good qualification in a hog. Why should a hog be able to run fast?"

"The niggers, sir, the niggers," replied the judge. "Your hogs would be all right for meat, but the niggers could steal them too easily. With our hogs they would have more trouble in catching them. Do you get the point?"

The exhibitor evidently "got the point," as the conversation ended and he took his fine hogs back home, having learned a lesson in swine breeding that he had previously overlooked. This story would hardly apply to the hog raisers of Arkansas in 1921, for they have been giving more thought to the improvement of their live stock in recent years and many Arkansas hogs would now compare favorably with the best in the country.

THE ARKANSAW TRAVELER

There are probably not many "fiddlers" in the United States, especially those in the rural districts, who have not played the air known as the "Arkansaw Traveler," but how many of them know anything of its origin. Whoever may have been the composer of the music, the fact seems to be pretty well

COL. SANFORD C.(SANDY)
FAULKNER
Distinguished pioneer, and the original "Arkansas Traveler"

"THE ARKANSAS TRAVELER," BY EDWARD PAYSON WASHBURN

established that Sanford C. Faulkner was the man who brought the air into prominence and has been handed down in history as the original "Arkansaw Traveler."

Sanford C. Faulkner was born in Georgetown, Kentucky, March 3, 1803. In 1829 he came to Arkansas and located in Chicot County, where he became interested in cotton planting. Ten years later he removed to Little Rock. During the Civil war he was captain of ordnance at the arsenal until Little Rock was occupied by the Federals in 1863. He then went to Texas, where he remained until the close of the war. Returning to Little Rock, he again engaged in business as a planter until a few years before his death, when he sold his two plantations and lived practically retired from active business. He died on August 4, 1874. In a notice of his death, the Gazette of the 5th said:

"It is well known throughout the Southwest that Colonel Faulkner was the original impersonator of the 'Arkansaw Traveler,' and it was his pride to be known as such. The story, it is said, was founded on a little incident which occurred in the campaign of 1840, when he made the tour of the state in company with the Hon. A. H. Sevier, Governor Fulton, Chester Ashley and Governor Yell. One day, in the Boston Mountains, the party approached a squatter's for information of the route and Colonel 'Sandy' was made spokesman of the company, and it was upon his witty responses the tune and the story were founded. On the return to Little Rock, a grand banquet was given in the famous 'bar-room' which used to stand near the Anthony House, and Colonel 'Sandy' was called on to play the tune and tell the story. Afterward it grew in popularity. When he went to New Orleans, the fame of the 'Arkansaw Traveler' had gone before him, and at a banquet, amid clinking glasses and brilliant toasts, he was handed a violin by the then governor of Louisiana and requested to favor them with the favorite Arkansas tune. At the old St. Charles Hotel a special room was devoted to his use, bearing in gilt letters over the door, 'Arkansaw Traveler.'"

Others have tried to claim the honor of being the originator of the "Arkansaw Traveler," but the above is the generally accepted version of its origin. There has always been more or less objection to both tune and dialogue among certain people of Arkansas, on the ground that it has been an unfortunate advertisement for the state. It is true that the rough humor in the banter between the traveler and the squatter was no more typical of Arkansas than any other frontier in early days and, while many may regard it a true representation of the Arkansas squatter, the more intelligent have learned to look upon it merely as a piece of comedy.

Some years after the tune and story became famous, Edward Payson Washburn, a son of Rev. Cephas Washburn, painted the picture of the "Arkansas Traveler." The artist was born at the old Dwight Mission in 1831, and was about twenty-five years old when he painted the picture. In that painting the "traveler" seated on his horse is Colonel Faulkner. Whether the picture was painted from memory, or whether the artist had a daguerreotype of Colonel Faulkner is not definitely known, but the picture is said to be a good likeness. The original painting was given by Mr. Washburn to his sister, who in turn handed it down to her daughter, Mrs. George Black, of Russellville, by whom it has been carefully preserved. Another picture, commenced by Washburn

and left unfinished at the time of his death in 1860, was finished by another. It represents the "Turn of the Tune," where the traveler is sitting on his horse, scraping out the second part, while the squatter is dancing in his glee. These two pictures, hung side by side, have decorated the walls of many a tavern or bar-room of the Southwest.

The dialogue supposed to accompany the tune, was no doubt the works of various persons, though it is probably based upon the incident at the squatter's cabin in the Boston Mountains in 1840. It is as follows:

An Arkansaw Traveler, who had become lost, discovered a Squatter, seated on an old whisky barrel near the door of his cabin, and playing a fiddle, when the following dialogue ensued, the Squatter still continuing to play the same part over and over:

Traveler—Hello, stranger.

Squatter—Hello, yourself.

T.—Can I get to stay all night with you?

S.—You can git to go to h—l.

T.—Have you any spirits here?

S.—Lots of 'em. Sall saw one last night by that thar ole holler gum, and it nearly skeered her to death.

T.—You mistake my meaning; have you any liquor?

S.—Had some yesterday, but Ole Boss he got in and lapped all uv it out'n the pot.

T.—You don't understand me. I don't mean pot liquor. I'm wet and cold, and want some whisky. Have you got any?

S.—Oh, yes—I drank the last this morning.

T.—I'm hungry, haven't had a thing since morning. Can't you give me something to eat?

S.—Hain't a d—d thing in the house. Not a mouthful of meat, or a dust of meal here.

T.—Well, can't you give my horse something?

S.—Got nothin' to feed him on.

T.—How far is it to the next house?

S.—Stranger! I don't know, I've never been thar.

T.—Well, do you know who lives here?

S.—I do.

T.—As I'm so bold, then, what might your name be?

S.—It might be Dick, and it might be Tom; but it lacks a d—d sight of it.

T.—Sir! will you tell me where this road goes to?

S.—It's never been any whar since I've lived here, it's always thar when I git up in the mornin'.

T.—Well, how far it is to where it forks?

S.—It don't fork at all, but it splits up like the devil.

T.—As I'm not likely to get to any other house tonight, can't you let me sleep in yours, and I'll tie my horse to a tree, and do without anything to eat or drink.

S.—My house leaks. Thar's only one dry spot in it, and me and Sall sleeps on it. And that thar tree is the ole woman's persimmon, you can't tie to it, case she don't want 'em shuk off. She 'lows to make beer out'n um.

T.—Why dont you finish covering your house, and stop the leaks?

S.—It's been raining all day.

T.—Well, why don't you do it in dry weather?

S.—It don't leak then.

T.—As there seems to be nothing alive about your place but children, how do you do here, anyhow?

S.—Putty well, I thank you, how do you do yourself?

T.—I mean what do you do for a living here?

S.—Keep tavern and sell whisky.

T.—Well, I told you I wanted some whisky.

S.—Stranger! I bought a bar'l mor'n a week ago. You see me and Sall went shares. After we got it here, we only had a bit tweenst us, and Sall, she didn't want to use hern fust, nor me mine. You see I had a spiggin' in one end, and she in tother. So she takes a drink out'n my end, and pays me the bit for it; and then I'd take un out'n hern, and gives her the bit. Well, we's getting along fust-rate, till Dick, d—d skulking skunk, he borne a hole on the bottom to suck at and the next time I went to buy a drink, they wurnt none thar.

T.—I'm sorry your whisky's all gone; but, my friend, why don't you play the balance of that tune?

S.—It's got no balance to it.

T.—I mean you don't play the whole of it.

S.—Stranger, can you play the fiddul?

T.—Yes, a little sometimes.

S.—You don't look like a fiddler, but ef you think you can play any more onto that thar tune, you kin just git down and try.

(The traveler gets down and plays the whole of it.)

S.—Stranger, take a half a dozen cheers and sot down. Sall, stir yourself round like a six-horse team in a mud hole. Go round in the holler, whar I killed that buck this mornin', cut off some of the best pieces, and fotch it and cook it for me and this gentleman, directly. Raise up the board under the head of the bed and git the old black jug I hid from Dick, and give us some whisky; I know thar's some left yit. Till, drive Old Bose out'n the bread tray, then clime up in the loft, and git the rag that's got the sugar tied in it. Dick, carry the gentleman's hoss round under the shed, give him some fodder and corn, as much as he kin eat.

Til.—Dad, thar ain't knives enouff for to sot the table.

S.—Whar's big butch, little butch, old case, cob-handle, granny's knife, and the one I handled yesterday? That's 'nuff to sot any gentleman's table with, without you've lost um. D—n me, stranger, ef you can't stay as long as you please, and I'll give you plenty to eat and drink. Will you have coffee for supper?

T.—Yes, sir.

S.—I'll be hanged if you do tho', we don't have nothin' that way here, but Grub Hyson, and I reckon it's mighty good with sweetnin'. Play away, stranger, you kin sleep on the dry spot tonight.

T.—(After about two hours' fiddling).—My friend, can't you tell me about the road I'm to travel tomorrow?

S.—Tomorrow! Stranger, you won't git out'n these diggins for six weeks. But when it gits so you kin start, you see that big sloo over thar? Well, you have to git crost that, then you take the road up the bank, and in about a mile you'll come to a two acre and a half corn-patch, the corn is mitely in the weeds, but you needn't mind that, jist ride on. About a mile and a half, or two miles, from that you'll come to the d—dest swamp you ever struck in all your travels; it's boggy enough to mire a saddle blanket. Thar's a fust-rate road about six feet under thar.

T.—How am I to get at it?

S.—You can't git at it nary time, till the weather stiffens down sum. Well, about a mile beyant, you come to a place whar thur's two roads. You kin take the right hand ef you want to, you'll follow it a mile or so, and you'll find it's run out; you'll then have to come back and try the left, when you git about two miles on that, you may know you are wrong, fur there ain't any road thar. You'll then think you are mighty lucky ef you kin find the way back to my house, where you can come and play that tune as long as you please.

CHAPTER LIX

STATISTICAL REVIEW

CENSUS REPORTS SINCE 1785—OFFICIAL ROSTER—VOTE IN PRESIDENTIAL ELECTIONS SINCE 1836—COUNTY STATISTICS—ARKANSAS CITIES—STATE PROPERTY—ASSETS AND LIABILITIES.

While Arkansas was a part of the Province of Louisiana, under French and Spanish rule, little attention was paid to taking a census or enumeration of the inhabitants. A census taken by the Spanish authorities in 1785 showed a population of 185. Another census, taken in 1799, reported the number of inhabitants as being 368. Five years after the latter enumeration was taken the province passed into the hands of the United States as part of the Louisiana Purchase.

By reference to the United States census reports, it is seen that the greatest proportionate increase in population during any decade was between the years 1810 and 1820, when it was nearly 1250 per cent. During that decade the War of 1812 was fought and a large tract of land in Arkansas was set apart by act of Congress as "military bounty lands," to be given to the soldiers who fought in that war. This brought a large influx immigrants, and the organization of Arkansas Territory in 1819 brought many others. Since the first census was taken in 1785, the increase in population has been steady, as shown by the following table:

1785	196
1799	368
1810	1,062
1820	14,273
1830	30,388
1840	97,574
1850	209,897
1860	435,450
1870	484,471
1880	802,525
1890	1,128,211
1900	1,311,564
1910	1,574,449
1920	1,752,204

OFFICIAL ROSTER

Following is a list of the principal territorial and elective state officers from 1819 to 1921, with the date of appointment or year in which they were elected.

Prior to 1860 the governor was elected for four years, all other state officers for two years. Acting governors are not included in the list, but are mentioned in the chapters where their service is recorded. The list of Supreme Court justices is given in the chapter on the Bench and Bar.

Territorial Governors—James Miller, March 3, 1819; George Izard, March 4, 1825; John Pope, March 9, 1829; William S. Fulton, March 9, 1835. Fulton served until the state was admitted.

State Governors—James S. Conway, 1836; Archibald Yell, 1840; Thomas S. Drew, 1844; John S. Roane, 1849 (special election April 19); Elias N. Conway, 1852 (reëlected in 1856); Henry M. Rector, 1860 (elected for four years, but resigned in 1862; Harris Flanagin, 1862; Isaac Murphy, 1864; Powell Clayton, 1868; Elisha Baxter, 1872; Augustus H. Garland, 1874; William R. Miller, 1876 (reëlected in 1878); Thomas J. Churchill, 1880; James H. Berry, 1882; Simon P. Hughes, 1884 (reëlected in 1886); James P. Eagle, 1888 (served two terms); William M. Fishback, 1892; James P. Clarke, 1894; Daniel W. Jones, 1896 (reëlected in 1898); Jefferson Davis, 1900 (served three terms); John S. Little, 1906; George W. Donaghey, 1908 (served two terms); Joseph T. Robinson, 1912 (elected to the United States senate and resigned); George W. Hays, 1913 (special election); George W. Hays, 1914; Charles H. Brough, 1916 (reëlected in 1918); Thomas C. McRae, 1920.

Territorial Secretaries—Robert Crittenden, March 3, 1819; William S. Fulton, April 8, 1829 (appointed governor in 1835); Lewis Randolph, February 23, 1835 (served until the state was admitted).

Secretaries of State—Robert A. Watkins, 1836; David B. Greer, 1840 (served continuously by reëlection until his death on August 20, 1859); Alexander Boileau, appointed for the unexpired term of Greer; S. W. Weaver, from January 21 to March 20, 1860; John I. Stirman, 1860; Oliver H. Oates, 1862; Robert J. T. White, 1864; J. M. Johnson, 1872; B. B. Beavers, 1874; Jacob Frolich, 1878; E. B. Moore, 1884; B. B. Chism, 1888; H. B. Armistead, 1892; Alexander C. Hull, 1896; John W. Crockett, 1900; O. C. Ludwig, 1904; Earle W. Hodges, 1910; Thomas J. Terral, 1916; Ira C. Hopper, 1920.

Territorial Auditors—George W. Scott, August 5, 1819; Richard C. Byrd, November 20, 1829; Emzy Wilson, November 5, 1831; William Pelham, November 12, 1833; Elias N. Conway, July 25, 1835 (served until the state was admitted).

State Auditors—Elias N. Conway, 1836; Christopher C. Danley, 1848 (resigned in September, 1854, and W. R. Miller appointed); A. S. Huey, 1854; William R. Miller, 1856; H. C. Lowe, 1860; William R. Miller, 1861; James R. Berry, 1864; William R. Miller, 1866; James R. Berry, 1868; Stephen Wheeler, 1872; William R. Miller, 1874; John Crawford, 1878; A. W. Files, 1882; William R. Miller, 1886 (died in office and W. S. Dunlop appointed); W. S. Dunlop, 1888; C. B. Mills, 1892; Clay Sloan, 1896; T. C. Monroe, 1900; A. E. Moore, 1904; John R. Jobe, 1908; John M. Oathout, 1912; L. L. Coffman, 1914; Hogan Oliver, 1916; James Guy Tucker, 1920.

Territorial Treasurers—This office was held by only two men. James Scull was appointed on August 5, 1819, and served until November 12, 1833; S. M. Rutherford was then appointed and served until the state government went into effect on October 1, 1836.

State Treasurers—William E. Woodruff, 1836; John Hutt, 1838; J. C. Martin, 1842; Samuel Adams, 1844; John H. Crease, 1848; A. H. Rutherford, 1854; John H. Crease, 1856; John Quindley, 1858; Jared C. Martin, 1860; Oliver Basham from February 2, 1861, to April 18, 1864; E. D. Ayres, 1864; L. B. Cunningham, 1866 (removed by Federal military authorities and Henry Page appointed); Henry Page, 1868; R. C. Newton from May 23 to November 12, 1874; Thomas J. Churchill, 1874; William E. Woodruff, Jr., 1880; R. B. Morrow, 1890; Ransom Gulley, 1894; T. E. Little, 1898; H. C. Tipton, 1902; James L. Yates, 1906; John W. Crockett, 1910; R. G. McDaniel, 1914; Joseph Ferguson, 1918.

Attorneys-General—This office was created in 1843. Robert W. Johnson, 1843; George C. Watkins, 1848; J. J. Clendennin, 1850; Thomas Johnson, 1856; J. L. Hollowell, 1858; Pleasant Jordan, 1861; Samuel W. Williams, 1862; C. T. Jordan, 1864; R. S. Gantt, 1865 (to fill vacancy); R. H. Deadman, 1866; J. R. Montgomery, 1868; T. D. W. Yonley, 1872; J. L. Witherspoon, 1874; Simon P. Hughes, 1874 (regular election); W. F. Henderson, 1876; C. B. Moore, 1880; Daniel W. Jones, 1884; W. E. Atkinson, 1888; James P. Clarke, 1892; E. B. Kinsworthy, 1894; Jefferson Davis, 1898; George W. Murphy, 1900; Robert L. Rogers, 1904; William F. Kirby, 1906; H. L. Norwood, 1908; William L. Moose, 1912 (died in September, 1915, and Wallace Davis appointed for the unexpired term); John D. Arbuckle, 1916; John S. Utley, 1920.

Superintendents of Public Instruction—This office was created by the constitution of 1868. Thomas Smith, 1868; J. C. Corbin, 1873; G. W. Hill, 1875; J. L. Denton, 1878; Dunbar H. Pope, from October 11 to October 30, 1882; W. E. Thompson, 1882; Josiah H. Shinn, 1890; Junius Jordan, 1894; J. J. Doyne, 1898; J. H. Hinemon, 1902; J. J. Doyne, 1906; George B. Cook, 1908; John L. Bond, 1916.

Commissioners of State Lands—J. M. Lewis, 1868; W. H. Grey, 1872; J. N. Smithee, 1874; D. W. Lear, 1878; W. P. Campbell, 1882; Paul M. Cobbs, 1884 (died in office and C. B. Meyers appointed); C. B. Meyers, 1890; J. F. Ritchie, 1894; J. W. Colquitt, 1898; F. E. Conway, 1902; L. L. Coffman, 1906; Reuben G. Dye, 1910; William B. Owen, 1914; Herbert R. Wilson, 1920. This office was created by the constitution of 1868 and the Legislature of 1913 formed the state land office into the department of state lands, highways and improvements.

Commissioners of Mines, Manufactures and Agriculture—This office was created in 1889 and M. F. Locke was appointed. M. F. Locke, 1890; John D. Adams, 1892 (died about a month after the election and George M. Chapline appointed); W. G. Vincenheller, 1894; Frank Hill, 1898; H. T. Bradford, 1902; Guy B. Tucker, 1906; Fred H. Phillips, 1910 (died on June 13, 1911, and Clay Sloan appointed); John H. Page, 1912; James G. Ferguson, 1918 (reëlected in 1920).

Railroad Commissioners—The railroad commission was created in 1899 and Robert Neill, Henry W. Wells and Jeremiah G. Wallace were appointed to serve until the election of 1900. Those elected since then were: 1900, Felix M. Hanley, Abner Gaines and Jeremiah G. Wallace; 1902, J. E. Hampton, B. B. Hudgins and Joseph W. Phillips; 1904, J. E. Hampton, B. B. Hudgins and Joseph W. Phillips (Mr. Hudgins resigned and Frank Pace was appointed to

the vacancy); 1906, R. P. Allen, John W. Crockett and J. E. Hampton; 1910, R. P. Allen, George W. Bellamy and W. F. McKnight; 1912, George W. Bellamy, J. S. Rowland and W. F. McKnight; 1914, W. F. McKnight, J. S. Rowland and T. E. Wood; 1916, W. G. Brasher, T. E. Wood and Herbert R. Wilson (all reëlected in 1918). The Legislature of 1919 abolished the railroad commission and created the corporation commission in its place, the commissioners then in to hold until January 1, 1921.

PRESIDENTIAL ELECTIONS

Arkansas was admitted into the Union in June, 1836, and in the following November the citizens voted for the first time for President and Vice President of the United States. Since that time the state has helped to choose these officials at every election, except that of 1864. In several campaigns candidates were nominated who received no votes in Arkansas and are therefore not included in the list, given in the following table, which shows the vote at each presidential election since 1836. The letters after the names of the candidates indicate the party, to wit: (D), Democrat; (R), Republican; (W), Whig; (A), American; (U.), Union; (G), Greenback; (U. L.), Union Labor; (P), Prohibitionist; (Peo.), People's Party; (I.), Independent; (Pro.), Progressive; (S.), Socialist.

1836—Van Buren and Johnson (D)	2,400
White and Smith (W)	1,238
1840—Van Buren and Johnson (D)	6,766
Harrison and Tyler (W)	5,160
1844—Polk and Dallas (D)	9,546
Clay and Frelinghuysen (W)	5,504
1848—Cass and Butler (D)	9,300
Taylor and Fillmore (W)	7,588
1852—Pierce and King (D)	12,173
Scott and Graham (W)	7,404
1856—Buchanan and Breckinridge (D)	21,910
Fillmore and Donelson (A)	10,787
1860—Douglas and Johnson (D)	5,227
Breckenridge and Lane (D)	28,732
Bell and Everett (U)	20,094
1864—Reconstruction—no vote	
1868—Grant and Colfax (R)	22,152
Seymour and Blair (D)	19,078
1872—Grant and Wilson (R)	41,373
Greeley and Brown (D)	37,927
1876—Tilden and Hendricks (D)	58,071
Hayes and Wheeler (R)	38,669
Cooper and Cary (G)	289
1880—Hancock and English (D)	60,775
Garfield and Arthur (R)	42,436
Weaver and Chambers (G)	4,079

1884—Cleveland and Hendricks (D)	72,927
Blaine and Logan (R)	50,895
Butler and West (G)	1,847
1888—Cleveland and Thurman (D)	85,962
Harrison and Morton (R)	58,752
Streeter and Cunningham (U L)	10,613
Fisk and Brooks (P)	641
1892—Cleveland and Stevenson (D)	87,834
Harrison and Reid (R)	46,884
Weaver and Field (Peo)	11,831
Bidwell and Cranfill (P)	113
1896—Bryan and Sewall (D)	110,103
McKinley and Hobart (R)	37,512
Levering and Johnson (P)	839
1900—Bryan and Stevenson (D)	81,142
McKinley and Roosevelt (R)	44,800
Barker and Donnelly (Peo)	972
Woolley and Metcalf (P)	584
Debs and Harriman (S)	27
1904—Parker and Davis (D)	64,434
Roosevelt and Fairbanks (R)	46,860
Watson and Tibbles (Peo)	2,318
Debs and Hanford (S)	1,816
Swallow and Carroll (P)	993
1908—Bryan and Kern (D)	87,015
Taft and Sherman (R)	56,760
Debs and Hanford (S)	5,842
Chafin and Watkins (P)	1,194
Watson and Williams (Peo)	1,026
Hisgen and Graves (I)	289
1912—Wilson and Marshall (D)	68,838
Taft and Butler (R)	24,467
Roosevelt and Johnson (Pro)	21,673
Debs and Seidel (S)	8,153
Chafin and Watkins (P)	898
1916—Wilson and Marshall (D)	112,148
Hughes and Fairbanks (R)	47,148
Benson and Kirkpatrick (S)	6,999
Hanly and Landrith (P)	2,015
1920—Cox and Roosevelt (D)	105,618
Harding and Coolidge (R)	69,874
Debs and Stedman (S)	5,974

COUNTY STATISTICS

Although the principal facts relating to each county in the state have been set forth in the preceding chapters, for the convenience of the reader they are here arranged in the form of a table for ready reference.

County	County Seat	Created	Named for
Arkansas	De Witt	Dec. 31, 1813	Arkansas Indians
Ashley	Hamburg	Nov. 30, 1848	Chester Ashley
Baxter	Mountain Home	Mar. 24, 1873	Gov. Elisha Baxter
Benton	Bentonville	Sept. 30, 1836	Thomas H. Benton
Boone	Harrison	Apr. 9, 1869	Daniel Boone
Bradley	Warren	Dec. 18, 1840	William L. Bradley
Calhoun	Hampton	Dec. 6, 1850	John C. Calhoun
Carroll	Berryville		
	Eureka Springs	Nov. 1, 1833	Charles Carroll
Chicot	Lake Village	Oct. 25, 1823	Point Chicot
Clark	Arkadelphia	Dec. 15, 1818	Gov. William Clark
Clay	Corning		
	Piggott	Mar. 24, 1873	John M. Clayton
Cleveland	Rison	Apr. 17, 1873	Grover Cleveland
Columbia	Magnolia	Dec. 17, 1852	Goddess of Liberty
Conway	Morrillton	Oct. 20, 1825	Henry W. Conway
Craighead	Jonesboro	Feb. 19, 1859	Thomas B. Craighead
Crawford	Van Buren	Oct. 18, 1820	William H. Crawford
Crittenden	Marion	Oct. 22, 1825	Robert Crittenden
Cross	Wynne	Nov. 15, 1862	Edward Cross
Dallas	Fordyce	Jan. 1, 1845	George M. Dallas
Desha	Arkansas City	Dec. 12, 1838	Benjamin Desha
Drew	Monticello	Nov. 26, 1846	Gov. Thomas S. Drew
Faulkner	Conway	Apr. 12, 1873	Sandford C. Faulkner
Franklin	Charleston		
	Ozark	Dec. 19, 1837	Benjamin Franklin
Fulton	Salem	Dec. 21, 1842	William S. Fulton
Garland	Hot Springs	Apr. 5, 1873	Augustus H. Garland
Grant	Sheridan	Feb. 4, 1869	Gen. U. S. Grant
Greene	Paragould	Nov. 5, 1833	Gen. Nathaniel Greene
Hempstead	Washington	Dec. 15, 1818	Edward Hempstead
Hot Spring	Malvern	Nov. 2, 1829	The Hot Springs
Howard	Nashville	Apr. 17, 1873	James Howard
Independence	Batesville	Oct. 20, 1820	The Declaration
Izard	Melbourne	Oct. 27, 1825	Gov. George Izard
Jackson	Newport	Nov. 5, 1829	Gen. Andrew Jackson
Jefferson	Pine Bluff	Nov. 2, 1829	Thomas Jefferson
Johnson	Clarksville	Nov. 16, 1833	Benjamin Johnson
Lafayette	Lewisville	Oct. 15, 1827	Marquis de Lafayette
Lawrence	Powhatan		
	Walnut Ridge	Jan. 15, 1815	James Lawrence
Lee	Marianna	Apr. 17, 1873	Gen. Robert E. Lee
Lincoln	Star City		
	Varner	Mar. 28, 1871	Abraham Lincoln
Little River	Ashdown	Mar. 5, 1867	The River
Logan	Booneville		
	Paris	Mar. 22, 1871	James Logan

County	County Seat	Created	Named for
Lonoke	Lonoke	Apr. 16, 1873	A "Lone Oak"
Madison	Huntsville	Sept. 30, 1836	James Madison
Marion	Yellville	Nov. 3, 1835	Gen. Francis Marion
Miller	Texarkana	Apr. 1, 1820	Gov. James Miller
Mississippi	Blytheville		
	Osceola	Nov. 1, 1833	The River
Monroe	Clarendon	Nov. 2, 1829	James Monroe
Montgomery	Mount Ida	Dec. 9, 1842	Gen. Richard Montgomery
Nevada	Prescott	Mar. 20, 1871	State of Nevada
Newton	Jasper	Dec. 14, 1842	Thomas W. Newton
Ouachita	Camden	Nov. 29, 1842	The River
Perry	Perryville	Dec. 18, 1840	Oliver H. Perry
Phillips	Helena	May 1, 1820	Sylvanus Phillips
Pike	Murfreesboro	Nov. 1, 1833	Lieut. Zebulon Pike
Poinsett	Harrisburg	Feb. 28, 1838	Joel R. Poinsett
Polk	Mena	Nov. 30, 1844	James K. Polk
Pope	Russellville	Nov. 2, 1829	Gov. John Pope
Prairie	Des Arc		
	De Valls Bluff	Nov. 25, 1846	The open country
Pulaski	Little Rock	Dec. 15, 1818	Count Pulaski
Randolph	Pocahontas	Oct. 29, 1835	John Randolph
St. Francis	Forrest City	Oct. 13, 1827	The River
Saline	Benton	Nov. 2, 1835	The Salt Springs
Scott	Waldron	Nov. 5, 1833	Judge Andrew Scott
Searcy	Marshall	Dec. 13, 1838	Richard Searcy
Sebastian	Fort Smith		
	Greenwood	Jan. 6, 1851	William K. Sebastian
Sevier	De Queen	Oct. 17, 1828	Ambrose H. Sevier
Sharp	Evening Shade		
	Hardy	July 18, 1868	Ephriam Sharp
Stone	Mountain View	Apr. 21, 1873	Natural formation
Union	El Dorado	Nov. 2, 1829	Union of States
Van Buren	Clinton	Nov. 11, 1833	Martin Van Buren
Washington	Fayetteville	Oct. 27, 1828	George Washington
White	Searcy	Oct. 23, 1825	Hugh L. White
Woodruff	Augusta		
	Cotton Plant	Nov. 26, 1862	William E. Woodruff
Yell	Danville		
	Dardanelle	Dec. 5, 1840	Governor Archibald Yell

ARKANSAS CITIES

According to the United States census for 1920, the State of Arkansas then had fourteen cities with a population of 5,000 or more. The following table shows the growth of these cities since the beginning of the present century. North Little Rock was incorporated after the census of 1900 was taken, and West Helena was incorporated after the census of 1910.

City	1900	1910	1920
Blytheville	302	3,849	6,447
Fayetteville	4,061	4,471	5,362
Fort Smith	11,587	23,975	28,870
Helena	5,550	8,772	9,112
Hot Springs	9,973	14,434	11,695
Jonesboro	4,508	7,123	9,384
Little Rock	38,307	45,941	65,142
Marianna	1,707	4,810	5,074
North Little Rock	....	11,138	14,048
Paragould	3,324	5,248	6,306
Pine Bluff	11,496	15,102	19,280
Texarkana	4,914	5,655	8,257
Van Buren	2,573	3,878	5,224
West Helena	....	....	6,226

STATE PROPERTY

From estimates, including grounds, buildings and equipment, made by Van B. Sims, state comptroller, at the beginning of the year 1921, it is learned that the State of Arkansas, in its corporate capacity, is the owner of the following property:

Property	Value
State capitol	$ 2,650,000
Old state house	525,000
University of Arkansas	961,000
First District Agricultural School	402,600
Second District Agricultural School	337,500
Third District Agricultural School	380,000
Fourth District Agricultural School	330,000
State Normal School	430,000
Branch State Normal School	170,000
Arkansas Medical College	110,000
Boys' Industrial School	140,000
Girls' Industrial School	71,500
Old Reform School (vacant)	42,500
Hospital for nervous diseases	1,775,000
School for the Blind	261,000
Deaf Mute Institute	477,500
Confederate Home	213,750
Tuberculosis Sanitarium	217,000
Hospital dairy farm	207,900
State serum plant	12,150
Penitentiary (walls)	123,185
Cummins farm	643,593
Tucker farm	498,790
State farm for women	31,000
Total	$11,010,968

In addition to the property values given in the above table, the state owns approximately 150,000 acres of land, the estimated value of which is $1,500,000. This sum added to the above total shows that the state owns property to the value of $12,510,968. On January 1, 1921, the outstanding indebtedness was $2,538,166.67. Comparing the indebtedness with the property valuation, it will be seen that Arkansas—as a body politic—has $4.93 in assets for each dollar of liabilities.

CHAPTER LX

CHRONOLOGICAL SUMMARY

CIVILIZATION A PRODUCT OF EVOLUTION—IMPORTANCE OF DATES IN THE STUDY OF HISTORY—CAUSE AND EFFECT—THE SUMMARY—LIST OF LEADING EVENTS IN ARKANSAS HISTORY.

Civilized countries are the product of evolution. In the process of development from savagery to civilization, event follows event like the links in a chain. Each of these events is the effect of something which went before, and the cause of something which followed after. Dates are important in the study of history, in order to trace the relationship between events. As a fitting conclusion to this history, the following summary of occurrences leading up to the settlement of what is now the state of Arkansas, as well as many events of more recent date, which have a bearing upon some phase of the state's history, has been compiled for ready reference.

At first glance many of these events may seem to have no connection with Arkansas history, or at least a very remote one, yet each event played its part in molding the development of the state. For example: To the casual reader it may seem that the treaty of September 3, 1783, ending the Revolutionary war and fixing the western boundary of the United States at the Mississippi River, had nothing to do with Arkansas, which lies west of that river and was not affected by the treaty. In like manner the order of Morales, Spanish intendant of Louisiana (October 16, 1802), denying the citizens of the United States the right of deposit at New Orleans—and incidentally the free navigation of the Mississippi—may appear out of place in a list of events relating to Arkansas. At the time Morales' order was issued, Arkansas was a part of the French Province of Louisiana. The few white people living within its borders were not citizens of the United States and were therefore not affected by the order.

But the treaty of 1783 and the order of Morales both wielded an influence in bringing about the Louisiana Purchase, whereby Arkansas became a part of the territory of the United States, and eventually one of the states of the American Union.

THE SUMMARY

May 31, 1539. Hernando de Soto landed in Florida for the purpose of leading an exploring expedition into the interior.

June 18, 1541. De Soto crossed the Mississippi River, where the City of Memphis now stands, and entered Arkansas.

May 21, 1542. De Soto died at the Indian village of Guachoya, near the mouth of the Red River.

July, 1673. Marquette and Joliet arrived at the mouth of the Arkansas River and smoked the peace-pipe with the Quapaw Indians.

March 12, 1682. La Salle and Tonti arrived at the mouth of the Arkansas on their way to the mouth of the Mississippi. They spent several days in the Quapaw villages.

April 9, 1682. La Salle took formal possession of all the land drained by the Mississippi and its tributaries and gave the country the name of Louisiana. By this act Arkansas became a French possession.

——, 1686. In the spring of this year Tonti established a settlement on the Arkansas River, afterward known as Arkansas Post.

March 19, 1687. La Salle was killed by one of his men on a branch of the Trinity River in Texas.

November 20, 1689. Tonti deeded to the Catholic Church a large tract of land at Arkansas Post for a mission.

September 6, 1717. The Western Company was granted a charter giving it a monopoly of the trade and colonization of Louisiana.

March 21, 1729. John Law, founder of the Western Company, or the "Mississippi Bubble," died in Venice.

November 3, 1762. Louisiana, including the present State of Arkansas, was ceded to Spain by the Treaty of Fontainbleau.

September 3, 1783. Treaty ending the Revolutionary war, and fixing the western boundary of the United States at the Mississippi River, was concluded at Paris.

October 27, 1795. Treaty of Madrid concluded, giving the people of the United States the right of free navigation of the Mississippi.

October 1, 1800. Spain ceded Louisiana back to France by the secret treaty of San Ildefonso.

October 16, 1802. Morales, intendant of Louisiana, issued an order denying the citizens of the United States the rights granted by the Treaty of Madrid.

March 3, 1803. Sandford C. Faulkner, reputed author of the Arkansas Traveler, born in Scott County, Kentucky.

April 30, 1803. Treaty of Paris concluded, by which the United States purchased the Province of Louisiana. By this treaty Arkansas became a part of the territory of the United States.

December 20, 1803. Louisiana was formally transferred to the United States at New Orleans.

March 10, 1804. Upper Louisiana was transferred to Maj. Amos Stoddard, representative of the United States, the ceremony taking place at St. Louis.

March 26, 1804. President Jefferson approved an act of Congress dividing Louisiana into the territories of Orleans and Louisiana. Arkansas was included in the latter.

March 3, 1805. The Territory of Louisiana (including Arkansas) was created by act of Congress and Gen. James Wilkinson was appointed governor.

June 27, 1806. The Territorial Legislature of Louisiana set off the southern part of New Madrid District as the "District of Arkansaw," and Stephen Worrell was appointed deputy governor for the district.

January 9, 1807. Lieut. James B. Wilkinson and party arrived at Arkansas Post, having descended the Arkansas River from Colorado in canoes.

August 23, 1808. The first civil officers for the District of Arkansas were appointed by Gov. Meriwether Lewis.

November 10, 1808. A treaty was negotiated with the Osage Indians by which a large part of Arkansas was ceded to the United States.

December 16, 1811. First shock of the New Madrid earthquake was felt. Many were rendered homeless by this disaster.

May 6, 1812. President Madison approved an act directing that 6,000,000 acres of land be surveyed and set apart as bounty lands for the soldiers of the War of 1812. About one-third of these lands were in the present State of Arkansas.

June 4, 1812. Missouri Territory (including Arkansas) was created by act of Congress.

December 31, 1813. Arkansas County was created by the Missouri Legislature.

April 12, 1814. The Squatters' Land Law was passed by Congress and approved by President Madison.

June, 1817. The first postoffice in Arkansas was established at Davidsonville, Lawrence County.

July 8, 1817. A treaty was concluded with the Cherokee Indians, by which that tribe ceded a portion of their lands east of the Mississippi and was granted land in Arkansas.

August 24, 1818. The Quapaw Indians ceded a large part of their lands south of the Arkansas River to the United States.

March 2, 1819. The act creating the Territory was approved by President James Monroe.

July 28, 1819. The first Territorial Legislature met at Arkansas Post. This Legislature was composed of Robert Crittenden, acting governor; Charles Jouett, Andrew Scott and Robert P. Letcher, judges.

November 20, 1819. The first number of the Arkansas Gazette was issued at Arkansas Post by William E. Woodruff. This was the first newspaper printed in Arkansas.

November 20, 1819. The first election was held in Arkansas for delegate to Congress and members of the Legislature.

February 7, 1820. The first General Assembly composed of members elected by the people met at Arkansas Post.

March 6, 1820. President Monroe approved the act of Congress known as the "Missouri Compromise."

March, 1820. A post office was established at Little Rock, with Amos Wheeler as postmaster.

April 1, 1820. The steamboat "Comet" arrived at Arkansas Post. This was the first steamboat to navigate the Arkansas River.

October 18, 1820. Gen. Andrew Jackson and Gen. Thomas Hinds concluded a treaty with the Choctaw Indians, by which that tribe was granted a large tract of land in Western Arkansas.

June 1, 1821. The territorial capital was established at Little Rock, pursuant to an act passed at the preceding session of the Legislature.

March 22, 1822. The steamboat "Eagle" arrived at Little Rock, the first steamboat to ascend the Arkansas River to that point.

November 15, 1824. The Quapaw Indians ceded their reservation south of the Arkansas River to the United States.

January 20, 1825. By treaty the Choctaw Indians ceded back to the United States the lands in Arkansas granted to them by the treaty of October 18, 1820.

July 27, 1826. The first steam sawmill in Arkansas began cutting lumber at Helena.

May 6, 1828. A treaty was concluded with the Cherokee Indians, by which they ceded their lands in Arkansas to the United States.

January 6, 1829. President John Quincy Adams approved an act giving to the people of Arkansas the privilege of electing their county officers.

January 7, 1829. Acting Governor Crittenden issued a proclamation ordering settlers to remove from the Indian lands. The order caused much dissatisfaction.

March 2, 1831. President Jackson approved the act granting to the Territory of Arkansas ten sections of land for the erection of public buildings.

November 7, 1831. Little Rock was incorporated as a town by act of the Legislature.

June 15, 1832. President Jackson approved an act granting to the Territory of Arkansas 1,000 acres of land for the erection of a courthouse and jail.

November 13, 1833. A great display of falling stars was seen from about 4 a. m. until daybreak.

December 13, 1833. Ambrose H. Sevier, delegate in Congress from Arkansas, introduced a bill providing for a census of Arkansas preparatory to admission into the Union.

November 4, 1834. The first theatrical performance in Little Rock was given.

November 30, 1834. A total eclipse of the sun occurred. The Gazette says one star was visible for over an hour.

October 5, 1835. The last Territorial Legislature was convened at Little Rock.

November 2, 1835. Little Rock was incorporated as a city by act of the Legislature.

November 12, 1835. David Crockett stopped for awhile in Little Rock on his way to Texas.

December 8, 1835. An election was held for delegates to a constitutional convention.

January 4, 1836. The first constitutional convention met in the Baptist Church at Little Rock.

June 15, 1836. President Jackson approved the bill admitting Arkansas into the Union as a state.

September 12, 1836. The first State Legislature met at Little Rock. Gov. James S. Conway was inaugurated the next day.

October 26, 1836. The bill chartering the Real Estate Bank was approved by Governor Conway.

November 2, 1836. The State Bank of Arkansas was incorporated by act of the Legislature.

June 27, 1838. The first steam ferry on the Arkansas River was established at Little Rock.

November 21, 1838. The Masonic Grand Lodge of Arkansas was organized at Little Rock, four lodges participating.

August 12, 1839. The first lodge of the Independent Order of Odd Fellows in Arkansas was organized at Little Rock.

December 24, 1842. Fort Smith was incorporated as a city by act of the Legislature.

May 13, 1846. President Polk approved the act declaring war with Mexico.

July 30, 1846. The Arkansas penitentiary was destroyed by fire started by one of the convicts.

February 23, 1847. Col. Archibald Yell, Capt. Andrew Porter and a number of Arkansas soldiers were killed at the battle of Buena Vista, Mexico.

August 20, 1847. Capt. Allen Woods' company of Arkansans received honorable mention for gallantry at the battles of Contreras and Cherubusco.

February 2, 1848. The Treaty of Guadalupe, ending the Mexican war, was negotiated by Nicholas P. Trist.

June 11, 1849. Arkansas Grand Lodge, Independent Order of Odd Fellows, was organized at Little Rock.

January 10, 1853. A charter was granted to the Arkansas Central Railroad Company (the Memphis and Little Rock) by the Legislature. This was the first railroad company incorporated by the state.

February 9, 1853. Congress granted to the Cairo & Fulton Railroad Company each alternate section of land along the proposed route, for a certain distance each side of the right of way.

March 4, 1859. Gov. Elias N. Conway approved an act of the Legislature incorporating the school for the blind at Arkadelphia.

January 17, 1860. St. John's College buildings at Little Rock were destroyed by fire.

November 3, 1860. Dr. David Dale Owen, who made the first authorized geological survey of Arkansas, died at Philadelphia.

January 1, 1861. The Legislature passed an act for the incorporation of a cotton seed oil mill at Pine Bluff—the first in Arkansas.

February 4, 1861. A convention at Montgomery, Alabama, adopted a constitution for the Confederate States of America. Jefferson Davis was elected provisional President, and Alexander H. Stevens provisional Vice President.

February 8, 1861. The arsenal at Little Rock was evacuated by the United States troops commanded by Capt. James Totten. The arsenal, with all arms and ammunition stored there, was turned over to the state authorities.

March 4, 1861. A state convention met at Little Rock, "to consider the state of the country."

April 14, 1861. Fort Sumter, in Charleston Harbor, was evacuated by the Federal troops under Maj. Robert Anderson.

April 19, 1861. Fort Smith was seized by state troops commanded by Col. Solon Borland.

May 6, 1861. The state convention adopted a secession ordinance by a vote of sixty-nine to one.

May 20, 1861. Arkansas was formally admitted to the Southern Confederacy of states.

August 10, 1861. The battle of Oak Hill, or Wilson's Creek, Missouri, was fought. This was the first battle in which Arkansas troops were engaged.

January 17, 1862. The Town of Napoleon was burned by the Federals, by order of General Hurlbut.

March 7, 1862. The battle of Elkhorn, or Pea Ridge, was fought. This was the first engagement in Arkansas.

June 2, 1862. Governor Rector issued a proclamation transferring all Arkansas troops to the Confederate service.

July 2, 1862. President Lincoln approved the Morrill Act granting lands to the state for the establishment of agricultural and mechanical colleges.

September 22, 1862. President Lincoln issued his emancipation proclamation, declaring all slaves should be free on January 1, 1863, unless the seceded states returned to their allegiance.

December 7, 1862. The battle of Prairie Grove, in Washington County, was fought.

January 11, 1863. Arkansas Post was captured by the Federal forces under General McClernand.

September, 1863. Gov. Harris Flanagin ordered the seat of government to be removed from Little Rock to Washington, Hempstead County.

September 10, 1863. Little Rock was occupied by the Federal forces commanded by Gen. Frederick Steele.

January 4, 1864. A constitutional convention met at Little Rock. It adopted a constitution and adjourned on the 23d. Under this constitution Isaac Murphy was elected governor.

January 8, 1864. David O. Dodd was executed as a Confederate spy at Little Rock.

May 26, 1865. The Confederate government in Arkansas came to an end, leaving the Murphy government in control of the entire state.

March 2, 1867. Congress passed an act "for the more efficient government of the Rebel States." This was the famous reconstruction act and was passed over President Johnson's veto.

January 7, 1868. The fourth Arkansas constitutional convention met at Little Rock. It adjourned on the 14th of February.

July 2, 1868. Powell Clayton, the first reconstruction governor under the constitution of 1868, was inaugurated.

November 4, 1868. Governor Clayton issued his proclamation declaring martial law in thirteen counties of the state.

March 27, 1871. The University of Arkansas was established by act of the Legislature. It was éstalished under the provisions of the Morrill Act and was at first known as the "Industrial University."

April 11, 1871. The last spike was driven on the Memphis & Little Rock Railroad.

January 22, 1872. The Arkansas Industrial University, at Fayetteville, was opened, with N. P. Gates as president.

October 20, 1872. The first Knights of Pythias lodge in Arkansas was organized at Fort Smith.

February 10, 1873. The first through train over the St. Louis, Iron Mountain

& Southern Railroad (now the Missouri Pacific), ran from St. Louis to Little Rock.

October 15, 1873. The Arkansas Press Association was organized at Little Rock.

April 15, 1874. Joseph Brooks, claiming to have been elected governor and armed with a decision of the Pulaski County Circuit Court, went to the state house with a few followers and ejected Gov. Elisha Baxter. This was the beginning of the so-called Brooks-Baxter war.

May 15, 1874. President Grant issued a proclamation recognizing Elisha Baxter as the lawful governor of Arkansas.

July 14, 1874. The fifth constitutional convention of Arkansas met in Little Rock. It adjourned on the 7th of September.

October 13, 1874. The new constitution was ratified by popular vote and state officers were elected.

———, 1876. Arkansas made an exhibit at the Centennial Exposition at Philadelphia—the first made by the state at a great exposition.

March 3, 1877. President Grant approved the act of Congress establishing the Hot Springs reservation.

May 24, 1879. The Arkansas State Horticultural Society was organized at Little Rock.

July 1, 1879. The United States Weather Bureau at Little Rock was opened for observation.

June 23, 1881. The Knights of Pythias Grand Lodge was organized at Little Rock. There were then thirteen lodges in the state.

March 15, 1882. The Arkansas State Bar Association was organized at Little Rock.

July, 1883. A race war occurred in Howard County.

May 4, 1888. Water was turned into the mains of the Little Rock waterworks from reservoirs. Prior to this time a standpipe system had been in use.

January 29, 1889. John M. Clayton was killed by a shot fired through a hotel window at Plummerville, Conway County.

March 2, 1889. President Cleveland approved an act of Congress authorizing the establishment of experiment stations in connection with agricultural colleges. The provisions of the act were accepted by the Arkansas Legislature five days later.

December 1, 1890. The Confederate Soldiers' Home, six miles east of Little Rock, was opened.

April 17, 1891. President Benjamin Harrison and party visited Little Rock.

October 20, 1891. The Arkansas State Bankers' Association was organized at Little Rock.

May 1, 1893. The Columbian Exposition at Chicago was opened. Arkansas' exhibit attracted wide attention.

October 2, 1894. A destructive tornado struck Little Rock and caused a property damage of over one million dollars. Two persons were killed and about forty injured.

February 23, 1895. Gov. James P. Clarke, acting under instructions from the Legislature, effected a settlement with the United States. Financial differences of long standing were thus adjusted.

January 11, 1898. A tornado at Fort Smith destroyed property worth one million dollars, killed fifty people and injured many more.

February 15, 1898. The United States Battleship Maine was blown up in Havana Harbor.

April 25, 1898. Congress declared war against Spain.

May 18, 1898. The First Arkansas Infantry was mustered into the United States service for the war with Spain.

May 25, 1898. The Second Arkansas Regiment was mustered in.

December 10, 1898. The Spanish-American war was formally ended by the Treaty of Paris.

November 27, 1900. Corner-stone of the new capitol was laid by the Arkansas Grand Lodge of Freemasons.

January 30, 1901. The apple blossom was adopted as the state flower by the Legislature.

September 6, 1901. President McKinley was shot while attending the Pan-American Exposition at Buffalo, New York. He died on the 14th.

May 1, 1904. The Louisiana Purchase Exposition opened at St. Louis, Missouri. Arkansas was well represented by an exhibit of the state's resources and industries.

October 25, 1905. President Roosevelt visited Little Rock, addressed several thousand people in City Park and was given a luncheon at the Scottish Rite Consistory.

August 1, 1906. Diamonds were discovered in Pike County.

May 31, 1909. The Arkansas History Commission was established as a permanent state department by act of the Legislature.

October 24, 1909. President Taft stopped in Little Rock for a few hours while on his tour through the Southwest. He addressed a crowd estimated at twenty thousand persons at the Union Station.

October 10, 1910. Ex-President Roosevelt delivered an address at the state fair at Hot Springs.

February 18, 1913. The Arkansas State Flag was adopted by Legislative resolution.

February 21, 1913. The Arkansas Legislature ratified the amendment to the United States constitution authorizing the election of senators by direct vote.

August 10, 1916. The First Regiment, Arkansas National Guard, left Little Rock for the Mexican border.

April 6, 1917. Congress declared war against Germany.

November 19, 1917. A constitutional convention met at Little Rock and organized by electing T. M. Mehaffy, president; H. G. Combs, secretary.

November 11, 1918. An armistice was signed by the allied and German commanders—end of the World war.

December 14, 1918. The new constitution was rejected by the voters of the state—37,184 to 23,280.

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